

2024-PHHC-155858



CRM-M-54580-2024
Date of decision: 25.11.2024

....Petitioners.

Versus

...Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Mr. Aditya Sharma, Advocate,
for respondent No. 2.

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SANJIV BERRY, J. (ORAL)

Instant petition has been preferred under Section 528 of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS) seeking quashing of the FIR (Annexure P-1), and all other subsequent proceedings arising therefrom on the basis of compromise effected between the parties vide compromise dated 12.01.2024 (Annexure P-2) and an affidavit dated 08.02.2019 (Annexure P-3). Details of the FIR are as under: -

FIR No.	Dated	Sections	Police Station
308	01.12.2018	406, 420, 120-B IPC	Sohana, District SAS Nagar, Mohali

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2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 12.01.2024 (Annexure P-2) and an affidavit dated 08.02.2019 (Annexure P-3), which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties.

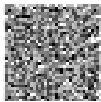
3. Learned Judicial Magistrate Ist Class, SAS Nagar, vide report dated 19.11.2024 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure. It is also reported that cost, so imposed, vide order dated 05.11.2024, has also been deposited.

4. Respondent No. 2 is represented by his counsel and admits the factum of compromise having been effected voluntarily between the parties.

5. In view of the aforesaid report of learned Judicial Magistrate Ist Class, SAS Nagar, (Mohali), and in view of the decision of the Hon'ble Supreme Court in "**Gian Singh Vs. State of Punjab and another**", 2012(4) RCR (Criminal) 543 and "**Narinder Singh and Others Vs. State of Punjab and Another**", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since respondent No. 2 has himself compromised the dispute with the petitioners/ accused persons.

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6. In the circumstances, the present petition is allowed. FIR No. 308 dated 01.12.2018, under Secttions 406, 420, 120-B IPC, registered at Sohana, District SAS Nagar, Mohali, (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

25.11.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |