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CRM-M-62443-2023

Neutral Citation No.2024:PHHC:058404
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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-62443-2023
Date of decision: 29.04.2024

VISHAL DHAWAN AND OTHERS

....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

....Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Ashish Aggarwal, Advocate for the petitioners.

Mr. Adesh Pal Singh, AAG, Punjab.

Mr. Rahul Bhargava, Advocate for respondents No.2 to 4.

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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioners seek quashing of DDR No.05 dated 08.12.2017 (Annexure P-2) in FIR No.287 dated 07.12.2017 under Sections 323, 324, 506, 148 and 149 IPC and all consequential proceedings arising therefrom on the basis of compromise deed and affidavit dated 16.10.2023 (Annexure P-3 and P-4) executed between the parties. Details of the DDR are as follows:

DDR No.	Dated	Sections	Police Station
05	08.12.2017	323, 341, 506, 148, 149 and 201 IPC	Chhehrata, District Police Commissionerate, Amritsar

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed/affidavit dated 16.10.2023 (Annexure P-3 and P-4), 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. Judicial Magistrate Ist Class, Amritsar, vide report dated 12.04.2024, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure. In compliance to the order dated 13.12.2023 and 20.03.2024, an amount of Rs.5,000/- has been deposited with the Punjab and Haryana High Court Employees Welfare Association and Rs.10,0000/- has been deposited with the Society for the Care of the Blind, Sector 26, Chandigarh, respectively and receipts thereof are annexed with the report and produced in the Court today as well.

3. Respondents No. 2 to 4 are represented by their counsel and does not oppose the compromise.

4. In view of the report of the Judicial Magistrate Ist Class, Amritsar, 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 the complainant has himself compromised the dispute with the petitioners/accused persons.

5. In the circumstances, the present petition is allowed. DDR No. 05 dated 08.12.2017 under Sections 323, 341, 506, 148, 149 and 201 IPC registered at P.S. Chheharta, District Police Commissionerate Amritsar (Annexure P-2) followed by the FIR No.287 dated 07.12.2017, under Sections 323, 324, 325, 506, 148, 149 and 201 IPC registered at Police Station Chheharta, District Police Commissionerate Amritsar

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(Annexure P-1) and all consequential proceedings arising therefrom, are
hereby quashed on the basis of compromise qua the present petitioners.

29.04.2024
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(SANJIV BERRY)
JUDGE

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