

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(i) **Date of decision : 15.01.2015.**
CRM No.M-10803 of 2013

Jagdeep Singh @ Kala and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

(ii) **CRM No.36041 of 2014**

Varinder Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MS.JUSTICE RITU BAHRI

Present : Mr. Mohd. Yousuf, Advocate for the petitioners.
(in CRM No.M-36041 of 2014 for respondents No.2 and 3)

Mr. D.S.Virk, AAG, Punjab.

Mr. Parvez Akhtar Advocate
for respondents No.2 to 5.
(for petitioners in CRM No.M-36041 of 2014).

RITU BAHRI, J. (Oral)

By this common order, Crl. Misc. No.M-10803 of 2013 & Crl. Misc. No.M-36041 of 2014 shall be decided together, wherein prayer is for quashing of FIR No. 105 dated 05.10.2010, under Sections 341, 323, 34, 324, 148, 149 of IPC, registered at Police Station Daba, District Ludhiana (Annexure P-1) and cross version i.e. case bearing DDR No.34 dated 6.10.2010, under Sections 323, 324, 341, 148 and 149 IPC, registered at Police Station, Daba, District Ludhiana in FIR No.105 dated 5.10.2010, under Sections 323, 324,

341, 148 and 149 of IPC and subsequent proceedings arising therefrom on the basis of compromise effected between the parties.

The FIR was registered on the basis of statement made by Varinder Singh-respondent No.2 (in CRM-M-10803 of 2013) alleging therein that on dated 27.09.2010 at about 10.30 A.M Jagdeep Singh @ Kala called to the complainant from out side of the house where three or four more persons were standing. They were armed with dang and Jagdeep Singh was armed with Dah in his hand. Jagdeep Singh gave datar blow on the head and his maternal aunt namely Sunita came out from the house. Lakhvir Singh gave a dang blow on the right arm then on alarm made by his maternal aunt all the accused person fled away from the spot while raising lalkara. The complainant was got admitted in the hospital where his statement was recorded. In this background, the FIR was registered.

The cross version was registered on the basis of statement made by Jagdeep Singh-respondent No.2 alleging that the accused-petitioners (in CRM-36041 of 2014) have inflicted injuries to him and fled away from the spot with their respective weapons while threatening to kill him.

During the pendency of trial, with the intervention of respectable persons, the matter has now been amicably resolved between the parties.

In compliance with the order dated 3.04.2013, passed by this Court, both the parties got recorded their statements before the trial Court. Report from the Judicial Magistrate Ist Class, Ludhiana, has been received in this regard. As per report, Varinder Singh, complainant in the FIR, made a statement on 01.05.2013 to the effect that with the intervention of respectable persons, the matter has been

compromised between the parties and he has no objection, if the FIR is quashed.

In cross-version, Jagdeep Singh-complainant has stated that with intervention of respectable persons of village, the matter has been compromised between the parties. Now he does not want to take any action against the accused-petitioners and has no objection if the FIR and cross case are quashed.

In view of separate statements of the parties, the court is satisfied that the compromise is valid and genuine.

Consequently, in view of the status report and the judgment of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429**, the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and Ors. vs. State of Punjab and another 2007 (3) RCR (Crl.) 1052**, this Court is of the opinion that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 105 dated 05.10.2010, under Sections 341, 323, 34, 324, 148, 149 of IPC, registered at Police Station Daba, District Ludhiana (Annexure P-1) and cross version i.e. case bearing DDR No.34 dated 6.10.2010, under Sections 323, 324, 341, 148 and 149 IPC, registered at Police Station, Daba, District Ludhiana in FIR No.105 dated 5.10.2010, under Sections 323, 324, 341, 148 and 149 of IPC are quashed with all consequential proceedings arising therefrom qua the petitioner(s).

Both the petitions stand disposed of accordingly.

January 15, 2015

Manoj Bhutani

**(RITU BAHRI)
JUDGE**