

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

CRM No.M-12523 of 2015 (O&M)

Date of decision: 30.06.2015

Nand Rani & others

... Petitioners

Versus

State of Punjab & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Viney Puri, Advocate for the petitioners.

Mr. Mikhail Kad, AAG, Punjab.

Mr. Puneet Singla, Advocate for the respondent No.4.

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TEJINDER SINGH DHINDSA, J. (ORAL).

The instant petition has been filed under Section 482 Cr.P.C. for quashing cross version under Sections 323/148/149/326 IPC dated 16.10.2014 of FIR No.156 dated 09.10.2014 under Sections 323/324/452/307/148/149 IPC, registered at Police Station Division No.3, Jalandhar, District Jalandhar.

Since quashing was sought on the basis of compromise, this Court on 27.04.2015 had directed the parties to appear before the Illaqa Magistrate concerned for recording of their statements and a report as regards veracity of the compromise was called for.

Placed on record is a report dated 15.05.2015 of the learned Additional Chief Judicial Magistrate, Jalandhar and a perusal thereof would reveal that the statements of the parties have been duly recorded and it has been opined that the compromise has been effected voluntarily without any pressure or undue influence.

It has also gone uncontroverted that in the light of order dated 19.05.2015 passed by this Court in CRM No.M-7223 of 2015, the main FIR bearing No.156 dated 09.10.2014 has already been quashed in the light of compromise effected between the parties.

It may also be pertinent to mention that even the offence under Section 326 IPC has been cited, still the parties have entered into a settlement at the very initial stage, inasmuch, as even though charges have been framed but no prosecution evidence has yet been led. As such, this Court is of the considered view that the compromise/settlement arrived at between the parties needs to be recognized and acted upon in the light of the guidelines issued by the Hon'ble Supreme Court of India in **Narinder Singh & others Vs. State of Punjab & another, 2014 (2) RCR (Criminal) 482.**

For the reasons recorded above, the present petition is allowed. Cross version under Sections 323/148/149/326 IPC dated 16.10.2014 of FIR No.156 dated 09.10.2014 under Sections 323/324/452/307/148/149 IPC, registered at Police Station Division No.3, Jalandhar, District Jalandhar and all proceedings emanating therefrom stand quashed.

Petition allowed in the aforesaid terms.

30.06.2015
harjeet

(TEJINDER SINGH DHINDSA)
JUDGE