

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

**Date of decision:-20.04.2015**

**1. CRM-M-1366 of 2015**

Jagjit Singh and others

....Petitioner(s)

vs.

State of Punjab and others

....Respondent(s)

AND

**2. CRM-M-1367 of 2015 (O&M)**

Bhupinder Singh and others

.....Petitioner(s)

vs.

State of Punjab and others

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH**

Present: Mr. H.S. Dhindsa, Advocate,  
for the petitioners in CRM-M-1366-2015 and  
for respondents No.4 to 6 in CRM-M-1367-2015.

Mr. Ramandeep Singh, Advocate,  
for the petitioners in CRM-M-1367-2015 and  
for respondents No.4 and 5 in CRM-M-1366-2015.

Mr. K.S. Sidhu, DAG, Punjab.

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**PARAMJEET SINGH, J. (ORAL)**

**CM No.8552 of 2015 in CRM-M-1367 of 2015**

This is an application under Section 482 of Code of Criminal Procedure with a prayer for modification in the head note of the main petition as during the pendency of aforementioned petition, offence under Section 324 IPC has been deleted and offence under Section 325 IPC has been added.

Notice of the application.

Mr. K.S. Sidhu, DAG, Punjab and Mr. H.S. Dhindsa, Advocate accepts notice.

In connected case i.e. CRM-M-1366 of 2015 similar prayer has already been granted vide order dated 26.03.2015 passed in CRM No.9075 of 2015.

Having heard counsel for the parties and for the reasons mentioned in the application and in view of order dated 26.03.2015 in connected case, the CM is allowed as prayed for.

Section 324 IPC is ordered to be read as Section 325 IPC in the head note as well as prayer Clause in the main petition.

**Main case**

By this judgment, I intend to dispose of **CRM-M-1366 of 2015, titled 'Jagjit Singh and others vs. State of Punjab and others'** and **CRM-M-1367-2015, titled 'Bhupinder Singh and others vs. State of Punjab and others'**. Prayer in CRM-M-1366 of 2015 is for quashing of FIR No.114 dated 04.11.2014 registered under Sections 325, 323, 148, 149 IPC at Police Station

Sadar Batala,, District Batala and prayer in CRM-M-1367 of 2015 is for quashing of cross case DDR No.14 dated 07.11.2014 arising in the aforesaid FIR on the basis of compromise dated 23.12.2014, along with all the subsequent proceedings arising therefrom.

Vide separate orders dated 14.01.2015, passed by a Coordinate Bench in both cases, parties were directed to appear before the Illaqa Magistrate to get their statements recorded with regard to compromise and the Illaqa Magistrate was directed to send its report.

In compliance of order dated 14.01.2015, the Illaqa Magistrate has submitted common report vide letter dated 30.01.2015 in both cases which indicates that parties appeared before it and got recorded their respective statements with regard to validity of compromise. As per the report, compromise arrived at between the parties is genuine and without any pressure or coercion from any corner. Now no dispute is pending between the parties.

Learned counsel for the parties state that the trial is still pending and till date, conviction has not been recorded by the Court.

Consequently, in view of compromise dated 23.12.2014 and keeping in view the law laid down by the Hon'ble Apex Court in the case of ***Madan Mohan Abbot vs. State of Punjab, 2008 (2) RCR (Criminal) 429, Gian Singh vs. State of Punjab and another, 2012(4) R.C.R.(Criminal) 543, Narinder Singh and***

***others vs. State of Punjab and another, 2014(2) R.C.R. (Criminal) 482*** and Full Bench judgment of this Court in the case of ***Kulwinder Singh and others vs. State of Punjab and another, 2007(3) RCR(Crl.) 1052***, no useful purpose would be served in prolonging the litigation, especially when this case does not fall within the category of exceptional cases where this Court should not exercise its inherent jurisdictional power to quash the criminal proceedings, as held in **Gian Singh (supra)** and ***Narinder Singh and others (supra)***. In the facts and circumstances of this case, it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of the criminal proceedings would amount to abuse of process of law despite settlement and compromise between the victim and wrongdoer and to secure the ends of justice, therefore, it is appropriate that criminal case is put to an end.

Both the petitions are allowed. FIR No.114 dated 04.11.2014 registered under Sections 325, 323, 148, 149 IPC at Police Station Sadar Batala,, District Batala and cross case DDR No.14 dated 07.11.2014 arising from the aforesaid FIR, are hereby quashed on the basis of compromise dated 23.12.2014 and all the criminal proceedings arising out of the said FIR and cross-case also stand quashed.

It is, however, made clear that if the proceedings already stand concluded and conviction recorded in the present cases, this order shall be treated non est and, thus, will have no

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bearing on the conviction and sentence order.

A copy of this order be placed on the file of connected case.

**(Paramjeet Singh)  
Judge**

**April 20, 2015**  
*anju rani*