

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2331 of 2015 (O&M)
Date of Decision: 19.05.2015

Balwinder Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

2. CRM-M-4474 of 2015

Ravinderpal Singh @ Raju and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE R.P. NAGRATH

- 1. *Whether Reporters of the local papers may be allowed to see the judgment?***
- 2. *To be referred to the Reporters or not?***
- 3. *Whether the judgment should be reported in the digest?***

Present: Mr. B.S. Bhalla, Advocate and
Mr. A.S. Brar, Advocate
for the petitioners.

Mr. Gurveer Sidhu, AAG, Punjab
for the State.

R.P. Nagrath, J. (Oral)

Both these petitions i.e. CRM-M-2331 of 2015 and CRM-M-4474 of 2015 have been filed for quashing FIR No.38 dated

22.02.2012 under Sections 307, 452, 380, 427, 324, 323, 148, 149, 358, 359 IPC, Police Station City Moga (Sections 307 and 380 already deleted) and the cross version being investigated on the basis of DDR No.27 dated 22.02.2012 under Sections 325, 323, 148, 149 IPC (Section 459 IPC added later on), Police Station City Moga and the subsequent proceedings on the basis of written compromise arrived at between the parties.

The quashing petition has been filed based on the compromise. The statements of both the petitioners and respondent No.2 in CRM-M-2331 of 2015 and that of respondent Nos. 3 to 6 in CRM-M-4474 of 2015 have been recorded. The statement of petitioner No.1 in CRM-M-4474 of 2015 has been recorded by the trial Court in CRM-M-2331 of 2015.

Learned State counsel on instructions from HC Mandeep Singh submits that petitioners are the only accused in the FIR and cross version and respondents are the only aggrieved persons.

No useful purpose would be served in continuing with the proceedings in this case in view of the compromise arrived at between them.

Following the principles laid down by the Full Bench judgement of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 (P&H)** and approved by the Hon'ble Supreme Court in **Gian Singh Vs. State of Punjab and others, (2012)10 SCC 303**, this petition is allowed and FIR No.38 dated 22.02.2012 under Sections 307, 452, 380, 427,

324, 323, 148, 149, 358, 359 IPC, Police Station City Moga (Sections 307 and 380 already deleted) and the cross version being investigated on the basis of DDR No.27 dated 22.02.2012 under Sections 325, 323, 148, 149 IPC (Section 459 IPC added later on), Police Station City Moga and the subsequent proceedings conducted on the basis thereof, are quashed.

Needless to say that parties shall remain bound by the terms of compromise and their statements.

(R.P. Nagrath)
Judge

19.05.2015
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