

Crl. Misc. No. 32175-M of 2014(O&M)

Crl. Misc. No. 32253-M of 2014(O&M)

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

Crl. Misc. No. 32175-M of 2014(O&M)

Arjan Singh and others PETITIONER (s)

Versus

State of Punjab and others

..... RESPONDENT(s)

Crl. Misc. No. 32253-M of 2014(O&M)

Akashdeep Sandhey and others PETITIONER (s)

Versus

State of Punjab and others

..... RESPONDENT(s)

Date of Decision: 18.02.2015.

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

**Present: Mr. Harkaran Singh, Advocate,
for the petitioners (in CRM-M-32175 of 2014) and
Respondents No. 2 to 4 in CRM-M-32253 of 2014).**

Mr. Narinder Kumar Awasthi, Advocate,

for the petitioners (in CRM M-32253 of 2014)
and respondents No.2 and 3 in CRM-M-32175 of
2014)
Mr. K.S.Sidhu, DAG, Punjab.

LISA GILL, J.(Oral)

This order shall dispose of CRM-M-32175 of 2014
(Arjan Singh and others Versus State of Punjab and others)
and Crl. Misc. No. 32253-M of 2014 (Akashdeep Sandhey and
others Versus State of Punjab and others).

CRM-M-32175 of 2014 has been filed for quashing
of FIR No.89, dated 04.06.2014, under Sections 341, 323,
324 and 34, IPC, registered at Police Station City Sunam,
District Sangrur (Annexure P-1), on the basis of compromise
dated 06.09.2014(Annexure P-2) between the parties. In
CRM-M-32253 of 2014 petitioners' pray for quashing of the
cross version in the above said FIR.

FIR had been registered on the basis of statement
of Akashdeep Sandhey petitioner No.1 in CRM-M-32253 of
2014 and respondent No.2 in CRM-M-32175 of 2014. Cross
version was registered on the statement of Pritpal Singh
alias Tarunveer alias Talli petitioner No.3 in CRM-M-32175 of
2014 and respondent No.2 in CRM-M-32253 of 2014.

On the intervention of respectables, elders and

friends, a compromise has been arrived at between the parties on 06.09.2014 (Annexure P-2). The parties wish to live in peace and harmony and put an end to the acrimony between them.

This court on 12.12.2014 had directed both the parties to appear before the learned trial court/ Illaqa Magistrate on 19.01.2015 to record their statements with regard to the said compromise and the trial court was directed to submit a report regarding the genuineness of the compromise alongwith copies of the statement of the parties.

Separate reports of even date i.e. 27.01.2015 have been received in both the cases from Sub Judicial Magistrate, Sunam, wherein it is observed that the compromise/settlement has been arrived at between the parties without any fear, pressure or allurement. Statements of Akashdeep Sandhey, Pritpal Singh @Tarunveer @ Talli as well as others have been recorded to the effect that they do not wish to continue proceedings against each other. Statements of the injured and all affected parties were recorded. Statements of the parties have been appended along with the report.

It is noted that statement of Investigating Officer ASI Satgur Singh has been recorded on 22.01.2015 to the effect that the matter is pending investigation. Challan/report under Section 173, Cr.P.C., is yet to be presented and the parties have indeed settled the matter amicably and do not wish to carry on with the criminal proceedings against each other.

In Kulwinder Singh and others versus State of Punjab and another, 2007(3) R.C.R. 1052, a five member Bench of this court has observed,

“The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour. It is the soul of justice and if the power under Section 482 of the Code of Criminal Procedure is used to enhance such a compromise which, in turn, enhances the social amity and reduces friction, then it truly is, “finest hour of justice”.

Keeping in view the facts and circumstances of the present case, no useful purpose would be served by continuing the proceedings except wastage of precious time of the court. The chances of conviction are absolutely bleak, therefore, it is in the interest of justice to quash the above

said FIR.

Both the petitions are, thus, allowed and FIR No.89, dated 04.06.2014, under Sections 341, 323, 324 and 34, IPC, registered at Police Station City Sunam, District Sangrur, as well as the cross version in this FIR alongwith all consequential proceedings arising therefrom are hereby quashed.

18.02.2015

Anoop

(LISA GILL)

JUDGE