

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

**Crl. Misc. No. M-33646 of 2014 (O&M)
Date of decision : 19.01.2015**

Balram Kumar & anotherPetitioners

versus

State of Punjab & another ...Respondents

CORAM: **HON'BLE MS. JUSTICE RITU BAHRI**

Present: Mr. A.K. Khunger, Advocate for the petitioners.

Mr. Gurveer Sidhu, AAG, Punjab.

RITU BAHRI , J. (Oral)

Quashing of the FIR No.97 dated 11.08.2014 under Sections 341/506/148/149 of IPC, registered at Police Station Nehianwala District Bathinda (Annexure P-1) and its consequential proceedings on the basis of compromise dated 17.09.2014 (Annexure P-2), is being sought.

FIR was registered on a statement made by Raj Kumar-respondent No.2/complainant alleging that his brother Kishore Singh had purchased one plot on 15.01.1988 in the name of Kishore Singh's wife in the area of village Nehianwala Mandi Goniana measuring 31.1/2xx16-7 ft. bearing Municipal Committee No.BTTTH 3/1 and Wasika No.3089-3088 dated 29.09.1979. After her death, this plot was transferred in the name of his brother Kishore Singh and his children, who has constructed the shops. On this plot, Bal Ram-petitioner No.1 was claiming his right. In this connection, 3-4 meetings were held in which the above mentioned

Bal Ram was made to understand that if he was having any right on this plot, then he could take the same through the Court. But on the day of occurrence, his brother Kishore Singh was away for some work and he was present on the shops as some repair work was going on in the said shops. At about 5 ½-6 PM, Bal Ram accompanying by another man aged about 30/32 years who was having double barrel gun in his hand and 3-4 other persons came to him and they immediately surrounded all sides and started abusing. Bal Ram caught his arm and did not allow him to move and they threatened him to be killed. In this background, the FIR was lodged.

Now, the matter has been amicably settled between the parties, during investigation.

In compliance of the order dated 29.09.2014, status report has been received from District & Sessions Judge, Bathinda. Statements of the parties have been recorded to the effect that a compromise has been affected without pressure, coercion or undue influence between the parties.

Consequently, in view of the status report and in view of 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, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.97 dated 11.08.2014 under Sections 341/506/148/149 of IPC, registered at Police Station Nehianwala District Bathinda (Annexure P-1), is quashed with all consequential proceedings arising therefrom qua petitioners.

The petition stands disposed of qua petitioners.

19.01.2015
Vinay

(RITU BAHRI)
JUDGE