

**CRM-M-3380-2015 and
CRM-M-3276-2015**

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

Date of Decision: 28.07.2015

1. CRM-M-3380-2015

Sonia and others

....Petitioner(s)

Versus

State of Punjab and others

....Respondent(s)

AND

2. CRM-M-3276-2015

Amarjit Singh and others

....Petitioner(s)

Versus

State of Punjab and others

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 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. V.P.S.Mithewal, Advocate,
for the petitioners in CRM-M-3380-2015.

Mr. Lajpat Sharma, Advocate,
for the petitioners in CRM-M-3276-2015.

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

**CRM-M-3380-2015 and
CRM-M-3276-2015**

PARAMJEET SINGH, J. (ORAL)

By this judgment, I intend to dispose of CRM-M-3380-2015, titled 'Sonia and others vs. State of Punjab and others' and CRM-M-3276-2015, titled 'Amarjit Singh and others vs. State of Punjab and others', as in both these petitions, prayers have been made for quashing of FIR No.68 dated 24.10.2014, registered at Police Station Darasi, District Ludhiana, under Sections 323, 324, 148, 149, 506 IPC and Section 326 IPC (added later on) and cross-case registered vide DDR No.15 dated 24.10.2014, registered at Police Station Darasi, District Ludhiana, under Sections 336, 323, 506, 148 and 149 of the Indian Penal Code, arising out of the aforesaid FIR, respectively, on the basis of compromise (Annexure P-1 in both the petitions), alongwith all the subsequent proceedings arising therefrom.

Vide orders dated 05.02.2015 passed in CRM-M-3380-2015 and dated 30.01.2015 in CRM-M-3276-2015, notice of motion was issued and parties were directed to appear before the trial Court/Illaq Magistrate on 19.02.2015 to get their statements recorded with regard to compromise and the same was directed to send the report.

Parties could not appear before the trial Court/Illaq Magistrate on 19.02.2015 and they were given liberty to appear before it by moving application vide order dated 30.03.2015.

In compliance of the order dated 30.03.2015, the trial Court has submitted reports vide letter dated 26.03.2015 in CRM-M-3380-

**CRM-M-3380-2015 and
CRM-M-3276-2015**

2015 and vide letter dated 24.07.2015 in CRM-M-3276-2015 which indicate that parties appeared before it and got recorded their respective statements with regard to validity of compromise. As per the reports, compromise arrived at between the parties is genuine and without any pressure or coercion from any corner. Learned counsel for the parties state that now, no dispute survives between the parties.

Consequently, in view of compromise (Annexure P-1 in both the petitions) 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

**CRM-M-3380-2015 and
CRM-M-3276-2015**

ends of justice, therefore, it is appropriate that criminal case is put to an end.

Both the petitions are allowed. FIR No.68 dated 24.10.2014, registered at Police Station Darasi, District Ludhiana, under Sections 323, 324, 148, 149, 506 IPC and Section 326 IPC (added later on) and cross-case registered vide DDR No.15 dated 24.10.2014, registered at Police Station Darasi, District Ludhiana, under Sections 336, 323, 506, 148 and 149 of the Indian Penal Code, arising out of the aforesaid FIR, are hereby quashed, on the basis of compromise (Annexure P-1), and all the criminal proceedings arising out of the said FIR and cross-version also stand quashed.

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

28.07.2015
parveen kumar

**(PARAMJEET SINGH)
JUDGE**