

CRM-M-3499 of 2015 & 3543 of 2015

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

Date of Decision: 17.08.2015

(1) CRM-M-3499 of 2015

Shateer Singh and othersPetitioners

Versus

State of Punjab and othersRespondents

AND

(2) CRM-M-3543 of 2015

Boota Singh and othersPetitioners

Versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sahil Soi, Advocate for
Mr. S.P. Soi, Advocate for the petitioners.
in CRM-M-3499 of 2015 and
for respondent no.2 in CRM-M-3543 of 2015.

Mr. Sonal Soi, Advocate,
for the petitioners in CRM-M-3543 of 2015 and
for respondent No.2 in CRM-M-3499 of 2015.

Mr. Sultan Singh Gill, Deputy Advocate General, Punjab.

HARI PAL VERMA, J. (ORAL)

This order shall dispose of CRM-M-3499 of 2015, titled
'Shateer Singh and others vs. State of Punjab and others' and CRM-M-
3543 of 2015, titled *'Boota Singh and others vs. State of Punjab and
others'* as both these petitions arising out of FIR No.55 dated 10.05.2011

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(Annexure P-1), under Sections 326/323/148/149 of Indian Penal Code, registered at Police Station Lohian, District Jalandhar.

In CRM-M No.3499 of 2015, prayer has been made for quashing of the aforesaid FIR whereas in CRM-M-No.3543 of 2015, prayer has been made for quashing of cross-version in the aforesaid FIR, on the basis of compromise dated 08.01.2015 (Annexure P-2 in CRM-M-No.3499 of 2015 and Annexure P-3 in CRM-M-No.3543 of 2015), along with all the subsequent proceedings arising therefrom.

Vide order dated 02.02.2015, parties in both cases were directed to appear before the trial Court to get their statements recorded with regard to compromise and the trial Court was further directed to submit its report about the genuineness of the compromise, as per the statements of the parties so recorded.

In compliance of order dated 02.02.2015, the learned Sub Divisional Judicial Magistrate, Nakodar, has submitted separate reports in both the cases, vide letters dated 17.03.2015, which reveal that the 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.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR, as well as cross-version arising out of the said FIR *qua* the petitioners.

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Consequently, in view of compromise dated 08.01.2015 (Annexure P-2 in CRM-M-No.3499 of 2015 and Annexure P-3 in CRM-M-No.3543 of 2015) and keeping in view of the principles laid down in the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 (P&H)**, as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others, (2012)10 SCC 303**, both the petitions are allowed.

Accordingly, FIR No.55 dated 10.05.2011(Annexure P-1), under Sections 326/323/148/149 of Indian Penal Code, registered at Police Station Lohian, District Jalandhar, and cross version arising out of the aforesaid FIR, on the basis of compromise dated 08.01.2015 (Annexure P-2 in CRM-M-No.3499 of 2015 and Annexure P-3 in CRM-M-No.3543 of 2015) and all other subsequent proceedings arising out of the said FIR and cross-version, are hereby quashed.

A photocopy of this order be placed on the connected case i.e. *CRM-M-No.3543 of 2015*.

17.08.2015
Anjal

(HARI PAL VERMA)
JUDGE