

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

Crl. Misc. No. M-35822 of 2014

Date of decision : 08.01.2015

Gurpreet Singh & others

....Petitioners

versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. H.K.Brinda, Advocate for the petitioners.

Mr. D.S. Virk, AAG, Punjab.

Mr. M.K. Pundir, Advocate for respondents No.4 and 5.

RITU BAHRI , J. (Oral)

Quashing of the FIR No.34 dated 07.03.2009 under Sections 323/324/427/452/506/148/149 of IPC, registered at Police Station Morinda, Tehsil Chamkaur Sahib, District Rupnagar (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 by Avtar Singh-respondent No.4/complainant with the allegations that on 06.03.2009, at about 7.00 PM, he was in his house along with his family, hose of his brother Garib Singh adjoin his house. Gurpreet Singh son of Garib Singh having a khai, Gurmail Singh son of Harchand Singh having kaholi, Swaran Singh son of

Harchand Singh, Didar Singh son of Chajja Singh having sua, Garib Singh son of Chajja Singh crying a stick entered his house. Gurmain Singh attacked his wife on the forehead with kaholi in his hand. The complainant came to rescue his wife then Gurpreet Singh struck khai on his left arm and blood started coming out of him and his wife. Garib Singh remained giving kicks, Swaran Singh and Didar Singh started damaging his door, pipes and electricity board and also damaged siver pipe and let lose the buffaloes and on raising alarm his relative Major Singh son of Mohinder Singh and Gurdip Singh son of the complainant came, on seeing them the accused ran away from the spot.

After registration of the FIR, during pendency of the trial, the matter has amicably been settled between the parties.

In compliance of the order dated 17.10.2014, status report has been received from the Judicial Magistrate 1st Class, Rupnagar. 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.34 dated 07.03.2009 under Sections 323/324/427/452/506/148/149 of IPC, registered at Police Station Morinda, Tehsil Chamkaur Sahib, District Rupnagar (Annexure P-1), is quashed with all consequential proceedings arising therefrom qua petitioners.

The petition stands disposed of qua petitioners.

08.01.2015
Vinay

(RITU BAHRI)
JUDGE