

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Crl. Misc. No. M-36936 of 2014 (O&M)
Date of decision : 22.01.2015

Devi Dayal Sharma and anotherPetitioners
versus

Jaswant Singh and another ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. P.K.S. Phoolka Advocate,
for the petitioners

Mr. Daljeet Singh Virk, AAG, Punjab

RITU BAHRI, J. (Oral)

Quashing of Complaint No. 326 dated 21.08.2013 under Sections 452/323/506/148/149 IPC and Sections 3(1)(X) of SC/ST Act (Prevention of Atrocities) Act, 1989, is being sought on the basis of compromise dated 26.09.2014 (Annexure P-2).

The complaint has been registered on the statement of respondent No. 1 against the petitioners with the allegations that on 23.08.2009, the accused persons entered into his house forcibly, illegally and intentionally with the hockey stick and rods and started giving beatings to him and threatened him to leave the street otherwise they will kill him. They abused him on his case and said him 'Kutta Majhbi Churra also'. On raising alarm, the complainant was saved by some other persons. The motive behind the occurrence is that accused No. 1 abused the complainant on 20.08.2009 and the complainant reported the matter in P.S. City Malout and the accused was annoyed on the complainant and due to this reason, he attacked the complainant and tried to defame the complainant.

The matter has now been duly compromised, vide

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compromise dated 26.09.2014 (Annexure P-2)

In compliance of order dated 03.11.2014, report of District and Sessions Judge, Sri. Muktsar Sahib has been received in this regard. As per report, statement of complainant-Jaswant Singh has been recorded to the effect that he had compromised the matter with the accused persons and have no grudge against them. He has no objection, if the present F.I.R be quashed against the petitioners. Joint statement of petitioners-Devi Dayal and Rupinder Kaur has been recorded to the same effect. The compromise has been entered voluntarily and without any pressure.

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 Complaint No. 326 dated 21.08.2013 under Sections 452/323/506/148/149 IPC and Sections 3(1)(X) of SC/ST Act (Prevention of Atrocities) Act, 1989, is quashed with all consequential proceedings arising therefrom qua petitioners.

The petition stands disposed of.

22.01.2015
G Arora

(RITU BAHRI)
JUDGE