

**CRM no.M-40312 of 2013 (O&M)
and connected case** **1**

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

1.CRM no.M-40312 of 2013 (O&M)

Gora @ Sarwan Singh and others

....Petitioner(s)

VERSUS

State of Punjab and another

....Respondents

2.CRM no.M-40143 of 2013 (O&M)

Kala Singh @ Balwinder Singh and others

....Petitioner(s)

VERSUS

State of Punjab and another

....Respondents

Decided on :07-04-2015

CORAM:- HON'BLE MR. JUSTICE MAHESH GROVER

Present:- Ms. Natasha Munjal, Advocate
for the petitioners in CRM no.M-40312 of 2013
and for respondent no.2 in CRM no.M-40143 of 2013

Mr. Deepak Garg, AAG, Punjab

Mr. M.K.Dogra, Advocate
for respondent no.2 in CRM no.M-40312 of 2013
and for the petitioners in CRM no.M-40143 of 2013

MAHESH GROVER, J

This order will dispose of two criminal petitions bearing CRM no.M-40312 and 40143 of 2013.

The petitioners in aforesaid petitions under Section 482 Cr.P.C pray for quashing of FIR No. 133 dated 4.9.2013 registered under Sections 323, 427, 452, 148, 149 IPC at Police Station Gharinda, District Amritsar and its cross version registered vide Rapat no. 18 dated 7.9.2013 under Sections 323, 148, 149 IPC and all consequent proceedings arising

therefrom on the basis of a compromise.

On 25.7.2014, this Court had directed the Chief Judicial Magistrate to record the statement of all the affected persons and further record a finding as to whether the compromise has been effected voluntarily by the parties.

That report has since been received alongwith copies of the statements of the affected persons which also indicates that the matter has been resolved amicably between the parties without any pressure from any quarter.

The Hon'ble Supreme Court in **Gold Quest International Private Ltd. vs. State of Tamil Nadu and others, 2014 (4) RCR (Crl.) 206** has held that the disputes which are substantially matrimonial in nature, or the civil property disputes with criminal facets, if the parties have entered into settlement, and it has become clear that there are no chances of conviction, there is no illegality in quashing the proceedings under Section 482 Cr.P.C read with Article 226 of the Constitution.

The Hon'ble Division Bench of this Court in **Sube Singh & anr. vs. State of Haryana & anr., 2013 (4) RCR (Crl) 102** has held that the High Court is vested with unparallel power to quash criminal proceedings at any stage to secure the ends of justice.

Having regard to the aforesaid and the observations made by the Full Bench of this Court in **Kulwinder Singh v. State of Punjab reported as 2007(3) Law Herald 2225** and of Hon'ble Supreme Court in **Gian Singh Vs. St. of Punjab** reported as 2012(4) RCR (Crl.) 543, instant petitions are accepted. Consequently, FIR No. 133 dated 4.9.2013 registered under Sections 323, 427, 452, 148, 149 IPC at Police Station

**CRM no.M-40312 of 2013 (O&M)
and connected case 3**

Gharinda, District Amritsar and its cross version registered vide Rapat no. 18 dated 7.9.2013 under Sections 323, 148, 149 IPC and all consequent proceedings arising therefrom qua the petitioners (in both the petitions) are hereby quashed.

April 07, 2015
rekha

(Mahesh Grover)
Judge