

In the High Court of Punjab and Haryana at Chandigarh

Date of Decision: 24.02.2015

CRM-M-41213 of 2014

Kanwar Pal Singh and another

---Petitioners

versus

State of Punjab and others

---Respondents

CRM-M-41055 of 2014

Surinder Pal Singh and others

---Petitioners

versus

State of Punjab and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. S.K.Sharma, Advocate
for the petitioners (in CRM-M-41213 of 2014 and
for respondents in CRM-M-41055 of 2014)

Mr.Amit Shukla, Advocate
for the petitioners(in CRM-M-41055 of 2014 and
for private respondents in CRM-M- 41213 of 2014)

Mr. Ankur Jain, AAG, Punjab
for the respondent-State

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

REKHA MITTAL, J.

This order will dispose of CRM-M-41213 of 2014 and CRM - M- 41055 of 2014 as these are cases of version and cross version.

The petitioners have prayed for quashing of FIR No. 89 dated 2.12.2012 for offence punishable under Sections 323, 324, 506 read with Section 34 of the Indian Penal Code (in short “IPC”) and cross version recorded vide DDR No. 16 dated 3.12.2012 for offence under Sections 323, 341, 506, 148, 149 IPC (Section 325 IPC added later) registered at Police Station, Balongi, SAS Nagar Mohali on the basis of compromise.

The parties were directed to appear before the trial court/Illaq Magistrate on 9.1.2015 to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Sub Divisional Judicial Magistrate, Kharar wherein it has been reported that statements of the petitioners, complainants and injured have been recorded and statements made by the parties in the Court reveal that they have voluntarily entered into a compromise with an intention to live in peace and harmony.

Counsel for the petitioners state that both the cases are version and cross version pertaining to FIR No. 89 dated 2.12.2012 and the parties have decided to give a quietus to their dispute with an intent to maintain harmonious relationship between the parties who are residents of the same village.

Counsel for the complainants have conceded to the fact that the parties have settled their dispute way of compromise and complainants and

injured have got no objection if the aforesaid FIR, cross version and proceedings emanating therefrom are ordered to be quashed.

Mr. Ankur Jain, AAG, Punjab has put in appearance on behalf of respondent-State of Punjab. He has not disputed correctness of assertions of the petitioners, complainants and injured that the matter has been settled by way of compromise between the parties.

I have heard counsel for the parties and perused the case file.

There is nothing on record to doubt correctness of the compromise effected between the parties, whereby they have decided to settle their dispute with an intention to live in peace and harmony. The present case falls in the category of cases, which can be allowed to be settled by way of compromise, in view of the decision of Hon'ble the Supreme Court of India in ***Gian Singh v. State of Punjab and another, 2012(4) R.C.R. (Criminal) 543.***

In view of what has been discussed hereinabove, the petitions are allowed and FIR No. 89 dated 2.12.2012 for offence punishable under Sections 323, 324, 506 read with Section 34 IPC and cross version recorded vide DDR No. 16 dated 3.12.2012 for offence under Sections 323, 341, 506, 148, 149 IPC (Section 325 IPC added later) registered at Police Station, Balongi, SAS Nagar Mohali and proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

(REKHA MITTAL)
JUDGE

24.02.2015

PARAMJIT