

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

1. Crl. Misc. No. M-42247 of 2014

Bogha Singh and others		Petitioners
	versus	
State of Punjab and others	...	Respondents

2. Crl. Misc. No. M-42454 of 2014

Tarsem Singh@ Tarsem Masih and others		Petitioners
	versus	
State of Punjab and others	...	Respondents

Date of decision :13.03.2015

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. Sandeep Jasuja, Advocate
for the petitioners in CRM-M-42247 of 2014
and for respondent Nos. 2 to 6 in CRM-M-42454 of 2014

Mr. Kapil Khanna, Advocate
for the petitioners In CRM-M-42454 of 2014
and for respondent Nos. 2 to 5 in CRM-M-42247 of 2014

Mr. A.S. Klar, AAG, Punjab

SNEH PRASHAR , J. (Oral)

By this common order, Crl. Misc. No. M-42247 of 2014 & Crl. Misc No. M-42454 of 2014 shall be decided together wherein prayer is for quashing of FIR No. 9 dated 04.02.2013 under Sections 452/324/323/148/149 of the Indian Penal Code, registered at Police Station Arniwala, District Fazilka and a cross case registered under sections 325/323/148/149 IPC and subsequent proceedings arising therefrom on the basis of compromise dated

23.12.2013, arrived at between the parties.

The F.I.R lodged by respondent No.2-Bharat Raj and the cross version of respondent No.5-Bhoga Singh were registered on 04.02.2013. It was submitted that during pendency the cases, the matter had been compromised with the intervention of respectables of the area, and a compromise deed dated 23.12.2013 was executed between the parties. Pursuant to the compromise the parties were directed to appear and get recorded their statements before the trial Court/area Magistrate.

In compliance of order dated 11.12.2014, report of Judicial Magistrate First Class, Fazilka has been received. As per report, statement of complainant/respondent No. 2- Bharat Raj (in CRM-M-42247 of 2014) and complainant/respondent No. 5-Bogha Singh (in CRM-M-42454 of 2014) had been recorded to the effect that they had compromised the matter and are left with no grudge against each other. They stated that they do not want to proceed further with criminal cases and have no objection, if the F.I.R as well as the cross case are quashed. Joint Statements of petitioners (in CRM-M-42454 of 2014) and petitioners (in CRM-M-42247 of 2014) had also been recorded to the same effect. The learned Judicial Magistrate First Class, Fazilka reported that the compromise has been entered voluntarily.

Taking into account that the compromise has been effected between the parties voluntarily and without any undue influence and the written compromise has been placed on record in both the petitions,

whereby the parties have decided to get the F.I.R and the cross version quashed, it is a fit case where there is no impediment in the way of this Court to exercise its inherent powers under Section 482 Cr.P.C for quashing of F.I.R and cross case in the interest of justice.

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 AIR SCW 2287***, the law laid down by the Full Bench of this Court in the case of ***Kulwinder Singh and others vs. State of Punjab and another 2007(3) RCR(Criminal) 1052***, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 9 dated 04.02.2013 under Sections 452/324/323/148/149 of the Indian Penal Code, registered at Police Station Arniwala, District Fazilka and cross case registered under Sections 325/323/148/149 of IPC are quashed with all consequential proceedings arising therefrom qua petitioners in both the petitions.

Accordingly, the petitions stands disposed of.

13.03.2015
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(SNEH PRASHAR)
JUDGE