

CRM-M No. 7180 of 2015 and
CRM-M No. 7443 of 2015

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

Date of decision: 30.07.2015

1. CRM-M-7180-2015

Ram Singh and othersPetitioner(s)

Versus

State of Punjab and othersRespondent(s)

AND

2. CRM-M-7443-2015

Satnam Singh and anotherPetitioner(s)

Versus

State of Punjab and othersRespondent(s)

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr. Anupam Bhardwaj, Advocate for the petitioners
in CRM-M-7180-2015 and for respondent Nos. 2 to 4
in CRM-M-7443-2015.

Mr. Shakun Chaudhary, Advocate, for the petitioners
in CRM-M-7443-2015 and for respondent Nos. 2 to 4
in CRM-M-7180-2015.

Mr. K. S. Sidhu, Deputy Advocate General, Punjab.

PARAMJEET SINGH, J. (ORAL)

By this judgment, I intend to dispose of CRM-M-7180-2015, titled 'Ram Singh and others Vs. State of Punjab and others' and CRM-M-7443-2015, titled 'Satnam Singh and another Vs. State of Punjab and others', in these petitions, prayer has been made for quashing of FIR No. 72, dated 10.06.2010, under Sections 452, 323, 324, 325, 148, 149 of the Indian Penal Code, registered at Police Station Majitha, District Amritsar Rural and cross-case vide Rapat No. 18, dated 04.03.2011, arising out of the afore-mentioned FIR, on the basis of compromise dated 05.02.2015 (Annexure P-2 in both petitions), along with all the subsequent proceedings arising therefrom.

Vide orders dated 06.04.2015 in CRM-M-7180-2015 and in CRM-M-7443-2015, notice of motion was issued and parties were directed to appear before trial Court to get their statements recorded with regard to compromise and the trial Court was directed to send the report.

In compliance of order dated 06.04.2015 in both the petitions, learned Judicial Magistrate Ist Class, Amritsar has submitted its report vide letter dated 06.07.2015 in both the petitions. As per the reports, compromise arrived at between the parties is genuine and without any pressure or coercion from any corner. Learned counsel for

the parties state that now, no dispute survives between the parties.

Consequently, in view of compromise dated 05.02.2015 (Annexures P-2 in CRM-M-7180-2015 and in CRM-M-7443-2015) and keeping in view the law laid down by the Hon'ble Apex Court in the case of *Madan Mohan Abbot vs. State of Punjab, 2008(2) RCR (Criminal) 429, Gian Singh vs. State of Punjab and another, 2012(4) R.C.R. (Criminal) 543, Narinder Singh and others vs. State of Punjab and another, 2014(2) R.C.R.(Criminal) 482* and Full Bench judgment of this Court in the case of *Kulwinder Singh and others vs. State of Punjab and another, 2007(3) RCR (Crl.) 1052*, no useful purpose would be served in prolonging the litigation, especially when this case does not fall within the category of exceptional cases where this Court should not exercise its inherent jurisdictional power to quash the criminal proceedings, as held in **Gian Singh (supra)** and **Narinder Singh and others (supra)**. In the facts and circumstances of this case, it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of the criminal proceedings would amount to abuse of process of law despite settlement and compromise between the victim and wrongdoer and to secure the ends of justice, therefore, it is appropriate that criminal case is put to an end.

Both the petitions are allowed. FIR No. 72, dated 10.06.2010, under Sections 452, 323, 324, 325, 148, 149 of the Indian Penal Code, registered at Police Station Majitha, District Amritsar Rural and cross-case vide Rapat No. 18, dated 04.03.2011, arising out of the afore-mentioned FIR, on the basis of compromise dated 05.02.2015 (Annexure P-2 in both petitions), and all the criminal proceedings arising out of the said FIR also stand quashed.

It is, however, made clear that if the proceedings already stand concluded and conviction recorded in the present case, this order shall be treated non est and, thus, will have no bearing on the conviction and sentence order.

July 30, 2015.
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(PARAMJEET SINGH)
JUDGE