

Crl. Misc. No. M-9462 of 2015

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

Crl. Misc. No. M-9462 of 2015

Date of decision: 16.07.2015

Ranjit Singh @ Natha and others

....Petitioners

Versus

State of Haryana and others

....Respondents

Crl. Misc. No. M-15942 of 2015

Darbara Singh and others

....Petitioners

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

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

Present: - Mr. Maharaj Kumar, Advocate,
for the petitioners in CRM-M-9462 of 2015 and
for respondents No.3 to 5 in CRM-M-15942 of 2015.
Mr. C.S. Bakshi, Addl. A.G., Haryana.
Mr. Jagdeep S. Virk, Advocate,
for the petitioners in CRM-M-15942 of 2015 and
for respondents No.3 to 7 in CRM-M-9462 of 2015.

PARAMJEET SINGH, J. (ORAL)

By this judgment, I intend to dispose of CRM-M-9462-2015, titled 'Ranjit Singh @ Natha and others v. State of Haryana and others', and CRM-M-15942-2015, titled 'Darbara Singh and others v. State of Haryana and others', as in both these petitions, prayers have been made for quashing of FIR No.192 dated 02.06.2009, registered at Police Station Taraori, District Karnal, under Sections 323, 324, 326, 447, 34 of

Crl. Misc. No. M-9462 of 2015

the Indian Penal Code and cross-case No.412/13 pending in the Court of JMIC, Karnal, arising from the aforesaid FIR, respectively, on the basis of compromise dated 05.01.2015, alongwith all the subsequent proceedings arising therefrom.

In CRM-M-9462-2015 on 23.03.2015 and in CRM-M-15942 of 2015 on 19.05.2015, parties were directed to appear before the trial Court/Illaq Magistrate to get their statements recorded with regard to compromise/settlement and trial Court/Illaq Magistrate was directed to send the report.

In pursuance of aforesaid orders, learned Judicial Magistrate Ist Class, Karnal, has submitted report dated 15.07.2015, which indicates that parties appeared before learned Magistrate and got recorded their respective statements with regard to validity of compromise. As per the report, 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 the compromise and keeping in view the law laid down by the Hon'ble Supreme Court in the case of ***Madan Mohan Abbot v. State of Punjab, 2008(2) RCR (Criminal) 429, Gian Singh v. State of Punjab and another, 2012(4) RCR (Criminal) 543, Narinder Singh and others v. State of Punjab and another, 2014(2) RCR (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

Crl. Misc. No. M-9462 of 2015

of exceptional cases where this Court should not exercise its inherent jurisdictional power to quash the criminal proceedings, as held in ***Gian Singh's*** case (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.192 dated 02.06.2009, registered at Police Station Taraori, District Karnal, under Sections 323, 324, 326, 447, 34 of the Indian Penal Code and cross-case No.412/13 pending in the Court of JMIC, Karnal, arising from the aforesaid FIR, are the basis of compromise, are quashed and all the criminal proceedings arising from the said FIR and cross-version 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.

(Paramjeet Singh)
Judge

July 16, 2015
R.S.