

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

1. CRM-M No.11974 of 2016
Date of decision: August 27, 2016

Gurcharan Singh and othersPetitioners

Versus

State of Punjab and anotherRespondents

2.

CRM-M No.11978 of 2016

Mohar Singh and others ...Petitioners

Versus

Sate of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. A.S. Brar, Advocate
for the petitioners (*in CRM-M-11974-2016*).
for respondent No.2 (*in CRM-M-11978-2016*).

Mr. J.S. Sekhon, AAG, Punjab
for respondent No.1-State.

Mr. Vishal Rattan Lamba, Advocate
for respondent No.2 (*in CRM-M-11974-2016*)
for the petitioners (*in CRM-M-11978-2016*).

JASPAL SINGH, J.(ORAL)

By this common order, this Court intends to dispose of two petitions i.e. CRM-M No.11974 of 2016 filed by Gurcharan Singh and others and CRM-M-11978 of 2016 filed by Mohar Singh and others.

2. CRM-M No.11974 of 2016 has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.278 dated 23.09.2008, under Sections 326, 323, 34 of Indian Penal Code registered at Police Station Bagha Purana, District Moga (Annexure P-1) along with

all subsequent proceedings arising therefrom, on the basis of compromise dated 25.03.2016 (Annexure P-2).

3. CRM-M No.11978 of 2016 has been filed under Section 482 of Cr.P.C. for quashing of cross case as Rapat No.13 dated 24.09.2008, under Sections 326, 324, 323, 34 IPC in FIR No.278 dated 23.09.2008, under Sections 326, 323, 34 IPC registered at Police Station Bagha Purana, District Moga (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise.

4. Separate reports of learned Sub Divisional Judicial Magistrate have been received, wherein, it has been categorically observed that the statements of both the parties are genuine and not the result of any pressure or coercion in any manner. Compromise entered into between the parties is valid. Even otherwise, matter involved in these proceedings is personal in nature, which has been amicably put at rest.

5. So, in view of circumstances narrated above as well as the observations made in cases reported as ***Gian Singh vs. State of Punjab and another; 2012(4) RCR (Criminal) 543***, I am of the considered opinion that continuation of criminal proceedings between the parties would be an abuse of the process of law and the present compromise is for the benefit of the parties and would certainly bring peace and harmony between them.

6. Consequently, both the petitions are allowed, FIR No.278 dated 23.09.2008, under Sections 326, 323, 34 of Indian Penal Code registered at Police Station Bagha Purana, District Moga including cross case as Rapat No.13 dated 24.09.2008, under Sections 326, 324, 323, 34 IPC in FIR No.278 dated 23.09.2008, under Sections 326, 323, 34 IPC registered

at Police Station Bagha Purana, District Moga and all subsequent proceedings arising out of the same are quashed qua petitioners.

August 27, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No