

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

**Date of decision: 29.09.2016
CRM No. M-12117 of 2016**

1.

Happy @ Harvinder Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

2.

CRM No. M-11669 of 2016

Navdeep Singh @ Neeti and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Peeush Gagneja, Advocate,
for the petitioners (in CRM-M-12117-2016).**

**Mr. Snehdeep Oberoy, Advocate,
for the petitioners (in CRM-M-11669-2016).**

Mr. A.P.S. Gill, AAG, Punjab.

Ritu Bahri, J.

By this common order, Crl. Misc No. M-12117 of 2016 & Crl.
Misc No. M-11669 of 2016 shall be decided together wherein prayer is for
quashing of FIR No. 02 dated 06.01.2015, under Sections 323/324/148/149
IPC (Sections 326/34 IPC added later on), registered at Police Station,
Sadar, Abohar, District Fazilka and cross version recorded vide Rapat No.44
dated 17.01.2015, under Sections 354-D/292/506/34 IPC in FIR No. 02

dated 06.01.2015, under Sections 323/324/148/149 IPC (Sections 326/34 IPC added later on), registered at Police Station, Sadar, Abohar, District Fazilka and subsequent proceedings arising therefrom on the basis of compromise dated 04.03.2016 (Annexure P-4).

F.I.R. No.02 dated 06.01.2015 was registered on the basis of statement made by Kashmir Singh-respondent No.2 to the effect that on 05.01.2015, at about 06.00 P.M., he along with his brother-Balvir Singh, nephew Simranjit Singh and Amarjeet Singh was returning to their house from fields. When they reached in the street, Happy, Gurwinder Singh @ Bindu and Aman Singh (petitioners), armed with *kappas*, were standing there. On seeing them, Gurwinder Singh @ Bindu raised a *lalkara* to teach them a lesson for having quarrel with them. Upon this, all of them inflicted injuries to the complainant party with *kappas*. They were also accompanied by two other unknown persons, armed with *dandas*, who also caused injuries on their person. On raising an alarm, all the assailants ran away from the spot along with their respective weapons. In this background, the FIR was registered.

DDR No.44 dated 17.01.2015 was registered on the basis of statement made by Sukhwinder Kaur-respondent No.2 to the effect that her husband-Sher Singh had expired on 14.03.2009 and she was having three daughters namely, Ramandip Kaur, aged about 21 years, Gurpreet Kaur, aged about 17/18 years and Jasprit Kaur, aged about 16 years. On 02.01.2015, when her daughter-Jasprit Kaur was going to school, Simarjit Singh, Froti, Goldy, Sona Singh, Rakesh Kumar and Neeti teased and harassed her in the way. Thereafter, on 05.01.2015 a quarrel took place

between both the parties, in which injuries were inflicted on their person. In this background, the DDR was registered.

During the pendency of the trial, with the intervention of respectable persons, the matter has been compromised between the parties vide compromise deed dated 04.03.2016 (Annexure P-4).

In compliance of order dated 08.07.2016 passed in both the petitions, the parties got recorded their statements before the trial Court. Report from the Judicial Magistrate Ist Class, Abohar, has been received in this regard in CRM No. M-1669-2016). As per report, statements of the parties have been recorded to the effect that they have arrived into compromise. The compromise is voluntarily, without any pressure, coercion and with free will. They have no objection if the F.I.R is quashed.

Taking into account that the compromise has been effected between the parties and the compromise deed is dated 04.03.2016 (Annexure P-4), whereby the parties have decided to get the F.I.R. and DDR quashed, it is a fit case where there is no impediment in the way of the Court to exercise its inherent powers under Section 482 Cr.P.C for quashing of F.I.R and D.D.R in the interest of justice.

Consequently, in view of the status report and the judgments passed by the Hon'ble Supreme Court in **Madan Mohan Abbot vs. State of Punjab** 2008(4) S.C.C. 582 and the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and Ors. vs. State of Punjab and another** 2007(3) RCR (Crl.) 1052, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 02 dated 06.01.2015, under Sections

323/324/148/149 IPC (Sections 326/34 IPC added later on), registered at Police Station, Sadar, Abohar, District Fazilka and cross version recorded vide Rapat No.44 dated 17.01.2015, under Sections 354-D/292/506/34 IPC in FIR No. 02 dated 06.01.2015, under Sections 323/324/148/149 IPC (Sections 326/34 IPC added later on), registered at Police Station, Sadar, Abohar, District Fazilka, are quashed with all consequential proceedings arising therefrom qua the petitioners.

Both the petitions i.e. Crl. Misc No. M-12117 of 2016 & Crl. Misc No. M-11669 of 2016 stand disposed of accordingly.

29.09.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No