

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision : May 17, 2016

1. CRM No. M-1624 of 2016

Bal Kishan @ Bal Krishan and others

...Petitioners...

versus

State of Punjab and others

...Respondents...

2. CRM No.M-1617 of 2016

Dharminder Nath and others

...Petitioners...

versus

State of Punjab and others

...Respondents...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Dheeraj Mahajan, Advocate
for the petitioners in CRM-M-1624-2016 and
for respondents No. 2 to 5 in CRM-M-1617-2016.

Mr. Arjinder Singh Sidhu, AAG, Punjab.

Mr. Dinesh Mahajan, Advocate,
for respondents No.2 to 4 in CRM-M-1624-2016 and
for the petitioners in CRM-M-1617-2016.

1. Whether Reporters of 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?

JASPAL SINGH, J.

This order shall dispose of aforesaid two petitions i.e
CRM No. M-1624 of 2016, captioned as “**Bal Kishan @ Bal
Krishan and others vs. State of Punjab and others**” and CRM

No. M-1617 of 2016, captioned as ***“Dharminder Nath and others vs. State of Punjab and others”***.

2. CRM No. M-1624 of 2016 has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.52, dated 12.09.2015, under Sections 323, 324, 148, 149 IPC and Section 326 IPC (added later on vide rapat No.17, dated 21.10.2015), Police Station Behrampur, Tehsil and District Gurdaspur and all the consequent proceedings arising therefrom, on the basis of compromise.

3. CRM No. M-1617 of 2016 has been filed under Section 482 of the Code of Criminal Procedure for quashing of DDR No. 33, dated 27.09.2015, under Sections 323, 324 and 148 IPC (cross version), Police Station Behrampur, Tehsil and District Gurdaspur and all the subsequent proceedings arising therefrom, on the basis of compromise.

4. Reports of learned trial Court have been received, in which, it has been categorically observed that a compromise is genuine, voluntary and without any coercion or undue influence. Even otherwise, matter involved is personal in nature, which stood amicably settled.

5. So, in view of above circumstances and in view of the pronouncement captioned as ***“Kulwinder Singh & others vs. State of Punjab and others”; 2007 (3) RCR (Criminal) 1052***, 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 their benefit and will bring peace and harmony between them.

6. Consequently, both petitions are allowed and FIR No.52, dated 12.09.2015, under Sections 323, 324, 148, 149 IPC and Section 326 IPC (added later on vide rapat No.17, dated 21.10.2015), Police Station Behrampur, Tehsil and District Gurdaspur as also DDR No. 33, dated 27.09.2015, under Sections 323, 324 and 148 IPC (cross version), Police Station Behrampur, Tehsil and District Gurdaspur, as well as all other consequential proceedings arising therefrom are quashed qua the petitioner(s).

May 17, 2016
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(JASPAL SINGH)
JUDGE