

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22472-2016

Date of Decision:- 08.09.2016

Sham Lal and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. R.K. Girdhar, Advocate
for the petitioners.**

Ms. Anmol Grewal, DAG, Punjab.

None for respondent No.2.

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.35 dated 10.03.2016, under Sections 452, 354, 323 and 34 IPC, registered at Police Station Sadar Fazilka, on the basis of compromise/affidavit dated 21.06.2016 (Annexure P-2).

Brief facts of the case are that on 07.03.2016 petitioner No.2 teased the grand-daughter of complainant/respondent No.2 and thereafter all the accused trespassed into the house of the complainant and caused injuries to him. Thereafter, the F.I.R was registered against the petitioners.

Learned counsel for the petitioners submits that keeping in view the peace and harmony of the village and area, the matter has now been amicably settled between the parties with the intervention of common relatives and panchayat, vide compromise/affidavit dated 21.06.2016

(Annexure P-2).

During the course of preliminary hearing, the trial Court, was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise/affidavit dated 21.06.2016 (Annexure P-2), by way of order dated 08.07.2016, by this Court.

In compliance of order dated 08.07.2016 of this Court, the report of Additional Chief Judicial Magistrate, Fazilka dated 02.09.2016 has been received. As per the report, the statements of all the concerned parties have been recorded and the complainant has no objection, if the present FIR registered against the petitioners is quashed. Statements of the petitioners and complainant have been recorded to the same effect.

Consequently, in view of the above-said report and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. Vs. State of Madhya Pradesh and another, 2008(2) RCR (Criminal) 910; Madan Mohan Abbot vs. State of Punjab, 2008(2) RCR (Criminal) 429** 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.35 dated 10.03.2016, under Sections 452, 354, 323 and 34 IPC, registered at Police Station Sadar Fazilka and all the subsequent proceedings arising therefrom are hereby quashed on the basis of compromise/affidavit dated 21.06.2016 (Annexure P-2).

The present petition stands disposed of.

September 08, 2016
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(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No