

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

1. Crl. Misc. No. M-32333 of 2015

Amandeep Singh and othersPetitioners

Versus

State of Punjab and othersRespondents

2. Crl. Misc. No. M-32358 of 2015

Sukhwinder Singh and anotherPetitioners

Versus

State of Punjab and anotherRespondents

DATE OF DECISION: 04.02.2016

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. **Whether reporters of local newspaper may be allowed to see judgment? (Yes/No)**
2. **To be referred to reporters or not? (Yes/No)**
3. **Whether the judgment should be reported in the Digest? (Yes/No)**

Present:- Mr. J.S. Grewal, Advocate
for the petitioners in Crl. Misc. No. M-32333 of 2015
and respondent No.2 in Crl. Misc. No. M-32358 of 2015.

Ms. Rimplejeet Kaur, AAG, Punjab.

Ms. Manpreet Kaur, Advocate
for the petitioners in Crl. Misc. No. M-32358 of 2015
and respondent Nos.2 and 3 in Crl. Misc. No. 32333 of 2015.

DAYA CHAUDHARY, J.

This judgment of mine shall dispose of two petitions bearing
Crl. Misc. Nos. M-32333 of 2015 and 32358 of 2015 as both the petitions
have been filed for quashing of the FIR as well as DDR registered against

the petitioners in both the cases.

Crl. Misc. No. M-32333 of 2015 has been filed by petitioners, namely, Amandeep Singh, Lovepreet Singh @ Labhu, Harbhinder Singh @ Babba, Jagtar @ Lali and Manpreet Singh @ Manu for quashing of FIR No. 72 dated 4.7.2015 registered under Sections 323/324/34 IPC at Police Station Rahon, Tehsil and District SBS Nagar and all the subsequent proceedings arising therefrom, on the basis of compromise.

Crl. Misc. No. M-32358 of 2015 has been filed by petitioners, namely, Sukhwinder Singh @ Sukhwinder Kumar and Gurdeep Singh Viridi for quashing of DDR No. 23 dated 4.7.2015 registered under Section 354-A IPC at Police Station Rahon Tehsil and District SBS Nagar in case FIR No. 72 dated 4.7.2015, on the basis of compromise.

While issuing notice of motion on 21.9.2015, the parties were directed to appear before the Illaqa Magistrate for recording of their statements with regard to compromise.

In response to the said direction issued by this Court, the parties appeared before the Judicial Magistrate, Ist Class, SBS Nagar and their statements were recorded. After recording of their statements, a report along with the statements of the parties has been sent, which is on record wherein the factum of compromise has been affirmed by the petitioners in both the cases. It has also been mentioned in the report that the compromise arrived at between the parties is genuine and same is without any pressure from either side.

Both the FIR as well as the DDR case arise out of same occurrence/incident. The parties to both the cases have settled their dispute by way of compromise and decided not to pursue the cases registered against each other. The purpose of the compromise is to

lead peaceful life and to bury all the differences that arose between them. Now both the parties have no grouse each other.

Since the dispute has been settled by way of compromise and parties are not interested to further proceed with the FIR as well as the DDR case, no purpose would be served in case proceedings are continued in future as it would amount to wastage of precious time of the Court. Moreover, continuation of proceedings would not be in the interest of the parties as the complainant in both the cases are not going to support the case of the prosecution. The purpose of the compromise is to maintain peace and harmony in the relations.

It has also been held by Five Judges' Bench of our own High Court in **Kulwinder Singh and others vs. State of Punjab and others, 2007(3) RCR (Criminal) 1052** that this Court has wide power to quash the criminal proceedings even in non-compoundable offences, notwithstanding the bar under Section 320 of the Criminal Procedure Code in order to prevent abuse of the process of law or to secure the ends of justice.

Accordingly, both the present petitions are allowed and the impugned criminal proceedings arising out of FIR No. 72 dated 4.7.2015 registered under Sections 323/324/34 IPC at Police Station Rahon, Tehsil and District SBS Nagar and all subsequent proceedings arising therefrom qua petitioners, namely, Amandeep Singh, Lovepreet Singh @ Labhu, Harbhinder Singh @ Babba, Jagtar @ Lali and Manpreet Singh @ Manu as well as DDR No. 23 dated 4.7.2015 registered under Section 354-A IPC at Police Station Rahon Tehsil and District SBS Nagar in aforesaid FIR and all subsequent proceedings arising therefrom qua

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(4)

petitioners, namely, Sukhwinder Singh @ Sukhwinder Kumar and Gurdeep Singh Viridi, are hereby quashed.

February 04, 2016
pooja

(DAYA CHAUDHARY)
JUDGE