

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision : October 21, 2016

1. CRM No. M-35619 of 2015

Jaspreet Kaur Singh and others

...Petitioners...

versus

State of Punjab and another

...Respondents...

2. CRM No. M-2478 of 2016

Gurcharan Singh and others

...Petitioners...

versus

State of Punjab and another

...Respondents...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Amit Arora, Advocate
for the petitioner (in *CRM-M-35619-2015*) and
for respondent No.2 (in *CRM-M-2478-2016*).

Mr. Vivek Chauhan, Advocate
for the petitioners (in *CRM-M-2478-2016*) and
for respondent No.2 (in *CRM-M-35619-2015*).

Mr. R.P.S. Sidhu, AAG, Punjab
for respondent No.1-State.

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-35619 of 2015, captioned as ***“Jaspreet Kaur and others vs. State of***

Punjab and another” and CRM No. M-2478 of 2016, captioned as ***“Gurcharan Singh and others vs. State of Punjab and another”***.

2. CRM No. M-35619 of 2015 has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.76 dated 24.08.2013, under Sections 365, 452, 342, 324, 323, 148, 149 of Indian Penal Code and Sections 25, 27 of Arms Act registered at Police Station Goindwal Sahib, District Tarn Taran and all the consequent proceedings on the basis of compromise dated 20.02.2014.

3. CRM No. M-2478 of 2016 has been filed under Section 482 of the Code of Criminal Procedure for quashing of cross case registered vide DDR No.26 dated 26.08.2013, under Sections 307, 452, 323, 324, 34 of IPC in case FIR No.76 dated 24.08.2013, under Sections 365, 452, 342, 324, 323, 148, 149 IPC and Section 25, 27 of Arms Act registered at Police Station Goindwal Sahib, District Tarn Taran and all the subsequent proceedings arising therefrom, on the basis of compromise dated 20.02.2014.

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.76 dated 24.08.2013, under Sections 365, 452, 342, 324, 323, 148, 149 of Indian Penal Code and Sections 25, 27 of Arms Act registered at Police Station Goindwal Sahib, District Tarn Taran and cross case registered vide DDR No.26 dated 26.08.2013, under Sections 307, 452, 323, 324, 34 of IPC in case FIR No.76 dated 24.08.2013, under Sections 365, 452, 342, 324, 323, 148, 149 IPC and Section 25, 27 of Arms Act registered at Police Station Goindwal Sahib, District Tarn Taran as well as all other consequential proceedings arising therefrom are quashed qua the petitioner(s).

October 21, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No