

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

CRM M-40768 of 2015

Date of decision : 12.05.2016

Subash Chand & ors.

....Petitioners

V/s

State of Punjab & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. K.S. Saini, Advocate for the petitioners.

Ms. Rajni Gupta, Addl. A.G. Punjab.

Mr. Neeraj Maolhotra, Advocate for respondent no. 2.

RAJAN GUPTA J.

Petitioners have filed this petition under section 482 Cr.P.C. seeking quashing of DDR No. 26 dated 28.12.2014 registered under sections 323/341/147/149 IPC in FIR No. 171 dated 28.12.2014 at police station Nangal, District Ropar and all the subsequent proceedings arising therefrom on the basis of compromise.

Learned counsel for the parties submit that during the pendency of this petition a compromise has been arrived at between the parties and dispute has been amicably settled. Relying upon the judgment reported as ***Kulwinder Singh and others vs. State of Punjab, 2007(3) RCR (Crl.) 1052***, learned counsel submit that in view of compromise, the impugned DDR deserves to be quashed.

Learned State counsel does not dispute the ratio of judgment in *Kulwinder Singh's* case supra and submits that in case

a compromise is arrived at between the parties the State would not stand in the way of quashing of DDR.

Heard.

It appears that on 28.01.2016 a direction was issued by this court to record the statements of the parties with regard to validity or otherwise of the compromise. A report has been received from the trial court. Operative part thereof reads thus:-

"Accordingly, as per directions of Hon'ble Punjab & Haryana High Court, complainant Pardeep Singh, who was duly identified by his counsel Sh. Prabhjot Singh, Advocate made statement in the Court that in the present case, DDR No.26 dated 28.12.2014 under Sections 323, 341, 147, 149 IPC in FIR No. 171 dated 28.12.2014 was lodged on his statement given to the police and that he has entered into compromise with accused Subash Chand, Ricky @ Sumit, Gurdeep Kumar, Saurab Rana and Satnam Singh @ Bunti with the intervention of respectable of the village and their family members and now he does not want to take any action against the accused and that he has entered into compromise out of his own free will and without any undue influence and pressure from any side and has no objection if abovesaid DDR No. 26 dated 28.12.2014 in FIR No. 171 dated 28.12.2014 is quashed. Similarly, accused Subash Chand, Ricky @ Sumit, Gurdeep Kumar, Saurab Rana and Satnam Singh @ Bunti, who were duly identified by their counsel Sh. Roshan Lal, Adv., also made statement in the Court that they have entered into compromise with complainant Pardeep Singh with the intervention of respectable persons of the village.

So, accordingly, this Court is satisfied that the parties have entered into compromise voluntarily and without any undue influence, pressure and coercion from any side."

Compromise is in the interest of the parties and after the matter has been resolved by an amicable settlement, no useful purpose is likely to be served by continuance of the criminal proceedings. In view of above, the present DDR and the consequent proceedings arising therefrom deserve to be quashed in light of Full Bench judgment of this court in *Kulwinder Singh's* case supra.

Resultantly, the present petition is allowed. The DDR in question and the subsequent proceedings arising therefrom are quashed.

May 12, 2016

Ajay

(RAJAN GUPTA)
JUDGE