

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision : May 31, 2016

1. CRM No. M-41628 of 2015

Ranjit Singh @ Rana and others

...Petitioners...

versus

State of Punjab and others

...Respondents...

2. CRM No.M-41923 of 2015

Malkiat Singh and others

...Petitioners...

versus

State of Punjab and others

...Respondents...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Hemender Goswami, Advocate
for the petitioners in CRM-M-41628-2015 and
for respondents No.2 to 5 in CRM-M-41923-2015.

Mr. A.S. Sidhu, AAG, Punjab.

Mr. Manish Prabhakar, Advocate
for respondents No.2 to 5 in CRM-M-41628-2015 and
for the petitioners in CRM-M-41923-2015.

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-41628 of 2015, captioned as “**Ranjit Singh @ Rana & others vs. State
of Punjab and others**” and CRM No. M-41923 of 2015, captioned as

“Malkiat Singh and others vs. State of Punjab and others”.

2. Though CRM No. M-41628 of 2015 has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.5, dated 01.04.2010, under Sections 307, 148 and 149 IPC, Police Station Tarsika, District Amritsar (Annexure P-1), on the basis of compromise dated 11.07.2011 (Annexure P-2), affidavit (Annexure P-3) as well as affidavits (Annexures P-4 to P-6) but subsequent thereto Section 307 IPC and offences under the Arms Act have been deleted by the police during investigation and challan was only presented under Sections 148 and 149 IPC.

3. CRM No. M-41923 of 2015, has been filed under Section 482 of the Code of Criminal Procedure for quashing of cross case in FIR No.5, dated 01.04.2010, under Sections 307, 148 and 149 IPC and Sections 25 and 27 of the Arms Act, Police Station Tarsika, District Amritsar (Annexure P-1), on the basis of compromise dated 11.07.2011 (Annexure P-2), affidavit (Annexure P-3) as well as affidavits (Annexures P-4 to P-6).

4. Reports of learned trial Court have been received, in which, it has been categorically observed that compromise has been entered into between the petitioners/accused and complainant/respondent voluntarily, out of their free will and without any pressure or coercion and the same appears to be genuine one. Even otherwise, matter involved is personal in nature, which stood amicably settled.

5. So, in view of above circumstances, 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.5, dated 01.04.2010, Police Station Tarsika, District Amritsar, cross case in FIR No.5, dated 01.04.2010, Police Station Tarsika, District Amritsar, as well as all other consequential proceedings arising therefrom are quashed qua the petitioner(s).

May 31, 2016
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(JASPAL SINGH)
JUDGE