

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

1. CRM-M No. 8952 of 2016

Karan and Others

...Petitioners

Vs.

State of Punjab & Others

...Respondents

1. CRM-M No. 8884 of 2016

Hemant Sharma @ Honey Sharma

...Petitioner

Vs.

State of Punjab & Others

...Respondents

Date of decision: 07.10.2016

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present : Mr. Munish Bhardwaj, Advocate
for the petitioners in CRM-M-8952-2016,
for respondent Nos. 4 to 6 in CRM-M-8884-2016.

Mr. Monjo Rohilla, Advocate
for the petitioner in CRM-M-8884-2016,
for respondent Nos. 4 and 5 in CRM-M-8952-2016.

Mr. Mikhail Kad, AAG, Punjab
for respondent-State in both cases.

JAISHREE THAKUR, J. (Oral)

This common order shall dispose of above mentioned two petitions.

The instant petitions have been filed seeking quashing of FIR No. 34 dated 12.02.2016, under Section 323 and 324 of the IPC, registered at Police Station Rama Mandi, Jalandhar (Annexure P-1) and for quashing of cross case along with all consequential proceedings

arising therefrom, on the basis of a compromise dated 05.03.2016 (Annexure P-3).

By an order dated 14.03.2016, the parties were directed to appear before the Illaqa Magistrate on 01.04.2016 for recording of their statements with regard to compromise. The trial Court was directed to record the statements of both the parties to its satisfaction regarding the genuineness of the compromise entered into with a direction to the trial Court to send a report along with statements of the parties.

Pursuant to the order passed, the parties appeared before the learned JMIC, Jalandhar on 01.04.2016, wherein both the parties have submitted that the compromise is without any pressure, threat or undue influence and has been entered into by their own free will. It is further submitted that they would have no objection in case the FIR in question and cross case are quashed by the High Court of Punjab & Haryana.

After recording of the said statement, a report along with the statements of the parties has been furnished to this Court wherein, learned JMIC, Jalandhar has submitted that the compromise effected between the parties appears to be genuine one and no other case is registered against either of the parties.

In view of the fact that the matter stands compromised between the parties, no useful purpose would be served in allowing the proceedings to continue under the FIR in question and cross case therein.

Consequently, in view of the judgment of the Hon'ble Supreme Court in the case of *Madan Mohan Abbot vs. State of Punjab* **2008(2) RCR (Criminal) 429**, the law laid down by the Full Bench of

this Court in the case of *Kulwinder Singh and others Vs. State of Punjab and another 2007(3) RCR (Crl.) 1052*, the above noted petitions are allowed and FIR No. 34 dated 12.02.2016, under Section 323 and 324 of the IPC, registered at Police Station Rama Mandi, Jalandhar (Annexure P-1) and cross case therein are quashed along with all consequential proceedings arising therefrom qua the parties.

The petitions stand disposed of accordingly.

October 7, 2016
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No