

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

CRM-M-10139 of 2016

Date of Decision: July 11,2017

Maddu @ Inderjit Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. P.S. Brar, Advocate
for the petitioners.

Mr. Randeep Singh Khaira, Assistant Advocate
General, Punjab.

Mr. Abhinav Jain, Advocate
for respondent No.2.

ARVIND SINGH SANGWAN, J.

Petitioners – Maddu @ Inderjit Singh, Ramna @
Raminder Singh, Seepa @ Sandeep Singh, Raju @ Rajpal
Singh, Sukha @ Sukhwinder Singh and Banti @ Karamjit
Singh have filed the present petition under Section 482 of
the Code of Criminal Procedure, 1973 for quashing of FIR
No.97 dated 18.05.2015, under Sections 307, 324, 323, 148,
149 and 506 of the Indian Penal Code, 1860 ('IPC' for short),
registered at Police Station Kotwali, Faridkot, District
Faridkot and all consequential proceedings arising
therefrom, on the basis of compromise (Annexure P2).

Notice of motion was issued and the report of the trial Court to ascertain the authenticity of the compromise was sought.

The Chief Judicial Magistrate, Faridkot has submitted a report that the compromise has been effected between the complainant–Sandeep Kumar and the petitioners and the complainant have no objection if the FIR is quashed. The complainant has stated that the compromise is for the benefit of both the parties and the same has got been effected with the intervention of respectables of the family. Parties have also submitted their self attested copies of identity proofs (Mark A to F).

Learned counsel for the petitioners has referred to the judgment of Narinder Singh and others vs State of Punjab and another, 2014 (2) RCR (Criminal) 482 to contend that even the FIR registered under Section 307 IPC can be quashed on the basis of compromise. Learned counsel further contended that, in fact, FIR was registered on the oral statement of the complainant which is not supported by any medical evidence. Hence, respondent–complainant voluntarily and without any pressure has entered into a compromise with the petitioners – accused and has shown his willingness that the FIR be quashed as they are resident of the nearby locality.

Learned counsel for the petitioners has further

referred to judgment **Rahul Sharma and others vs State of Punjab and others** _passed by this Court in CRM-M No.11145 of 2014 decided on 23.07.2014, in which this Court while allowing the petition on the basis of compromise has quashed FIR registered under Sections 307, 148 and 149 IPC.

Perusal of allegations in the FIR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in exercise of its inherent power under Section 482 of the Code. Keeping in view authoritative enunciation of law laid down by Hon'ble the Supreme Court of India in "**Gian Singh vs State of Punjab and another**", 2012(4) R.C.R. (Criminal) 543 and in the light of facts and circumstances of the present case, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that criminal proceedings are put to an end.

Since the parties have arrived at a compromise and have decided to live in peace, no useful purpose would be served in allowing the criminal proceedings to continue.

Accordingly, this petition is allowed. FIR No.97 dated 18.05.2015, under Sections 307, 324, 323, 148, 149 and 506 IPC, registered at Police Station Kotwali, Faridkot, District Faridkot and all the consequential proceedings,

arising therefrom, are ordered to be quashed qua the petitioners – Maddu @ Inderjit Singh, Ramna @ Raminder Singh, Seepa @ Sandeep Singh, Raju @ Rajpal Singh, Sukha @ Sukhwinder Singh and Banti @ Karamjit Singh.

(ARVIND SINGH SANGWAN)
JUDGE

July 11, 2017
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Whether speaking/reasoned: Yes/No

Whether Reportable:Yes/No