

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

**Date of decision: 25.05.2017
CRM No.M-13479 of 2017**

1.

Lav Kalyan

...Petitioner

Versus

State of Punjab and others

...Respondents

2.

CRM No. M-13304 of 2017

Shahnaz and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms. Manjari Joshi, Advocate,
for the petitioner (in CRM-M-13479-2017).

Ms. Deepika, Advocate,
for the petitioners (in CRM-M-13304-2017).

Mr. A.P.S. Gill, AAG, Punjab.

Ritu Bahri, J. (Oral)

By this common order, Crl. Misc No. M-13479 of 2017 & Crl. Misc No. M-13304 of 2017 shall be decided together wherein prayer is for quashing of FIR No. 18 dated 02.02.2017, under Sections 323 and 354 IPC, registered at Police Station, Phillaur, District Jalandhar and cross version registered under Sections in FIR No. 18 dated 02.02.2017, under Sections 323, 354, 451, 148, 149 and 427 IPC, registered at Police Station Phillaur, District Jalandhar and subsequent proceedings arising therefrom on the basis of compromise dated 10.03.2017 (Annexure P-2).

F.I.R. No. 18 dated 02.02.2017 was registered on the basis of statement made by Shehnaz-respondent No.2 to the effect that on 01.02.2017, at about 4.30 P.M., she was passing through the street of her house. In the meantime, Lav Kalyan s/o Mohinder Kalyan started staring at her with ill intentions. When she stopped him from doing so, then he torn the T-shirt which was worn. Then she called her brother, when he came out then Love started beating him with an object made of iron. In this background, the FIR was registered.

Cross case was registered on the basis of statement made by Mahinder Kalyan @ Mahinder Pal to the effect that on the same date i.e. 01.02.2017, Love S/o Mahinder Kalyan along with 4/5 unidentified persons had caused injuries to him and his son Kalyan. They also gave slaps to his daughter-Rajni. In this background, cross-version was recorded under Sections 323, 354, 451, 148, 149 and 427 IPC by means of same FIR.

After registration of the FIR, with the intervention of respectable persons, the matter has been compromised between the parties vide compromise deed dated 10.03.2017 (Annexure P-2).

In compliance with the orders dated 24.04.2017 and 21.04.2017 passed in both the petitions, both the parties got recorded their statements before the trial Court. Reports from the Sub Divisional Judicial Magistrate, Phillaur have been received in this regard. As per reports, statements of the parties have been recorded to the effect that they have arrived into compromise. The compromise is voluntarily, without any pressure, coercion and with free will. They have no objection if the F.I.R is quashed.

Taking into account that the compromise has been effected

between the parties and the compromise deed is dated 10.03.2017 (Annexure P-2), whereby the parties have decided to get the F.I.R. and its cross version quashed, it is a fit case where there is no impediment in the way of the Court to exercise its inherent powers under Section 482 Cr.P.C for quashing of F.I.R and cross-version in the interest of justice.

Consequently, in view of the status report and the judgments passed by the Hon'ble Supreme Court in “**Madan Mohan Abbot vs. State of Punjab 2008(4) S.C.C. 582**” and the law laid down by the Full Bench of this Court in the case of “**Kulwinder Singh and Ors. vs. State of Punjab and another 2007(3) RCR (Crl.) 1052**”, no useful purpose would be served in prolonging the litigation.

Accordingly, Crl. Misc No. M-13479 of 2017 & Crl. Misc No. M-13304 of 2017 for quashing of FIR No. 18 dated 02.02.2017, under Sections 323 and 354 IPC, registered at Police Station, Phillaur, District Jalandhar and cross version in FIR No. 18 dated 02.02.2017, under Sections 323, 354, 451, 148, 149 and 427 IPC, registered at Police Station, Police Station Phillaur, District Jalandhar, are quashed with all consequential proceedings arising therefrom *qua* the petitioners.

Both the petitions i.e. Crl. Misc No. M-13479 of 2017 & Crl. Misc No. M-13304 of 2017 stand disposed of accordingly.

May 25, 2017
ps-I

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No