

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

**1. CRM-M-1407 of 2017 (O&M)
Date of decision: 24.04.2017**

Sandeep Singh @ Gulli and others Petitioners

Versus

State of Punjab and another Respondents

2. CRM-M-1246 of 2017 (O&M)

Makhan Singh and others Petitioners

Versus

State of Punjab and others Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. B.S. Jaswal, Advocate
for petitioners in CRM-M-1407-2017 and
for respondents no. 2 to 4 in CRM-M-1246 of 2017

Ms. Manjeet Kaur, Advocate
for Ms. Kaavya Jariyal, Advocate
for petitioners in CRM-M-1246 of 2017
for respondent no. 2 in CRM-M-1407 of 2017

Ms. Shivali, AAG, Punjab.

SURINDER GUPTA, J.

Both the petitions have been taken up together as petitioners in these petitions have sought quashing of FIR No. 179 dated 07.11.2016, (Annexure P-1) registered at Police Station Beas, District Amritsar for offences punishable under Sections 326, 324, 323, 148 and 149 of Indian Penal Code (for short 'IPC') on the complaint of Sukhbir Singh @ Sukh and DDR No. 26 dated 08.11.2016, registered for offences punishable under Sections 452, 326, 324, 323, 148 and 149 IPC in the same Police Station as cross-case on the statement of Sandeep Singh @ Gulli, on the basis of

compromise dated 23.12.2016.

It is submitted that the matter has since been amicably settled as per compromise copy of which has been placed on file as Annexure P-2/P-3 in respective petitions.

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court after recording statements of parties, which include accused, complainant and injured except Subegh Singh, has sent its report dated 17.04.2017 stating therein that the compromise has been effected between the parties, which appears to be voluntary in nature and without any pressure or coercion. It has been submitted that Subegh Singh has gone abroad and was not available for his statement. However, learned counsel appearing for complainant-Sukhbir Singh @ Sukh submits that the matter has been compromised with him and statement to this effect has been made in Court, as such, non-appearance of Subegh Singh in Court is of no significance.

Learned counsel for petitioners in CRM-M-1246-2017, seeking quashing of cross-case, also submits that the matter has been amicably settled with all the accused in both the cases.

Parties in both the petitions belong to same village and now want to live in peace after compromise.

Learned State counsel has also not disputed compromise dated 23.12.2016.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR and DDR in cross-case should be quashed. Keeping these cases pending will not serve the

ends of justice. The quashing of the FIR and cross-case will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

For the reasons as discussed above, the instant petitions are allowed and impugned FIR No. 179 dated 07.11.2016, (Annexure P-1) registered for offences punishable under Sections 326, 324, 323, 148 and 149 IPC and cross-case registered vide DDR No. 26 dated 08.11.2016, for offences punishable under Sections 452, 326, 324, 323, 148 and 149 IPC at Police Station Beas, District Amritsar, are ordered to be quashed alongwith all consequential proceedings arising therefrom, qua petitioners, on the basis of compromise dated 23.12.2016 (Annexure P-2/P-3).

April 24, 2017

jk

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No