

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

I.

**CRM-M-2445-2017 (O&M)
Date of decision: March 7, 2017**

Amarjeet Singh and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

II.

CRM-M-2436-2017 (O&M)

Raja Singh and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.Ajayveer Singh, Advocate, for
Mr.Karanjit Singh, Advocate,
for the petitioners in CRM-M-2445-2017.

Mr.S.N.Sharma, Advocate, for
Mr.Vinay Kumar, Advocate,
for the petitioners in CRM-M-2436-2017.

Mr.Ashish Sanghi, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

This order will dispose of the aforesaid two petitions. The petitioners have filed aforesaid petitions under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.81

323, 427 read with section 148 and 149 Indian Penal Code (for short 'IPC') and DDR No.47 dated 2.11.2016 for offences punishable under Sections 323, 148, 149 IPC at Police Station Kotbhai, Sri Muktsar Sahib, along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-3).

As per case of the prosecution, FIR No.81 dated 2.11.2016 for offences punishable under Sections 452, 324, 323, 427 read with Sections 148 and 149 IPC was registered on the complaint of Amarjeet Singh and a cross-version for offences punishable under Sections 323, 148, 149 IPC was registered on the statement of Raja Singh son of Balvir Singh.

Learned counsel for the petitioners submits that the matter has since been amicably settled vide compromise, copy of which has been placed on file as Annexure P-3. Though in the petition bearing CRM-M-2445-2017, all the Sections for which FIR was registered have not been mentioned but this fact finds mention in the compromise (Annexure P-3) that the parties have amicably settled the disputed fully knowing that the FIR has been registered for offences punishable under Sections 452, 324, 323, 427 read with Sections 148 and 149 IPC.

Learned State counsel has also not disputed compromise (Annexure P-3).

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. As per report of the Judicial Magistrate, Gidderbaha dated 22.2.2017, the parties have appeared before the trial court and made statements about the settlement and the compromise

(Annexure P-3) which is voluntary in nature and without any pressure or influence.

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 should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR 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, both the petitions are allowed and the impugned FIR No.81 dated 2.11.2017 and DDR No.47 dated 2.11.2017 registered at PS Kotbhai, Sri Muktsar Sahib along with all consequential proceedings arising therefrom, qua petitioners, are quashed.

March 7, 2017

Paritosh Kumar

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No