

In the High Court of Punjab & Haryana at Chandigarh.

Date of decision: 19.09.2017
CRM-M-26879-2017

Jaspal Singh and others	vs.	 Petitioners.
State of Punjab and others		 Respondents.

(2) **CRM-M-27139-2017**

Arvinder Singh and others	vs.	 Petitioners.
State of Punjab and others		 Respondents.

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr.H.S.Jakhal, Advocate
for the petitioners in CRM-M-26879-2017 and
for respondents No.2 and 3 in CRM-M-27139-2017.

Mr. H.S.Sidhu, Advocate
for the petitioners in CRM-M-27139-2017 and
for respondents No.2 to 6 in CRM-M-26879-2017.

Mr.Rana Harjaspreet Singh, AAG Punjab.

MAHABIR SINGH SINDHU,J.(ORAL)

This order shall dispose of two petitions bearing Nos. CRM-M-26879-2017 for quashing of FIR No. 267 dated 25.11.2014 registered under Sections 324/323/148 and 149 of the Indian Penal Code (for short 'IPC') and rapat No. 23 dated 13.02.2015 vide which Section 326 IPC was added later, at Police Station Sadar, Jalalabad and all other subsequent proceedings arising therefrom, on the basis of compromise deed dated 08.07.2017 (Annexure P3) arrived at between the parties; and CRM-M-27139-2017 for quashing of cross-version case registered under Sections 336/427/148 and 149 IPC and 27/54/59 of the Arms Act vide rapat No. 32

dated 25.11.2014 recorded in abovesaid FIR at Police Station Sadar, Jalalabad (W) and all other subsequent proceedings arising therefrom.

Vide order dated 24.07.2017 passed by this Court, the parties were directed to appear before the trial Court/Illaqa Magistrate, for getting their statements recorded. In compliance thereof, report of learned Judicial Magistrate 1st Class, Jalalabad (W), has been received, wherein, it has been noticed that the compromise entered into between the parties is genuine, with their free will and without any pressure or coercion.

Both the parties are having their adjoining fields to each other and real dispute is regarding some partition of their land and they are not of criminal background.

Since, the matter has been compromised between the parties, therefor, the chances of conviction are very bleak and continuation of criminal proceedings against the petitioners will be a futile exercise.

Thus, in view of the above, the petitions stand allowed. FIR No. 267 dated 25.11.2014 registered under Sections 324/323/148 and 149 IPC and rapat No. 23 dated 13.02.2015, at Police Station Sadar, Jalalabad and cross-version case registered under Sections 336/427/148 and 149 IPC and 27/54/59 of the Arms Act vide rapat No. 32 dated 25.11.2014 recorded in abovesaid FIR at Police Station Sadar, Jalalabad (W) and all other subsequent proceedings resulting therefrom are hereby quashed.

(MAHABIR SINGH SINDHU)
JUDGE

19.09.2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No