

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.243

CRM-M No.2811 of 2017

Date of decision: 26.05.2017

Gurmej Singh and others

....Petitioners

versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. J.S. Thind, Advocate,
for the petitioners.

Mr. Rajat Bansal, AAG, Punjab.

Mr. Vishal Goel, Advocate
for respondents No.2 to 5.

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DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 482 Cr.P.C., quashing of DDR No.29 dated 03.04.2015, registered under Sections 323, 324, 34 IPC, at Police Station Jandiala, District Amritsar Rural in FIR No.71 dated 25.03.2015, registered under Sections 323, 324, 34 IPC, at Police Station Jandiala, District Amritsar Rural, is sought for on the basis of compromise (Annexure P-3).

Through order of this Court dated 29.03.2017, the parties were directed to appear before the trial Court/Area Magistrate to get their statements recorded, who in turn was directed to send a report to this Court with regard to the genuineness and validity of the compromise, if any, between the parties, status of the trial and number of accused facing trial in the present case.

As directed, report dated 09.05.2017, from the Judicial Magistrate Ist Class, Amritsar, has been received, as per which the parties

recorded their statements before the trial Court in terms of the compromise arrived at between them, the petitioners are the only accused in the present case and none of the accused is declared as proclaimed offender.

Learned State counsel has also no objection, if the present petition is allowed.

In view of the above as also for the reasons that the dispute is between the members of the same family; belong to the same village; the offence is not heinous; after investigation, the police has prepared a cancellation report and the matter having been compromised at the initial stage of the trial, continuation of the proceedings in pursuance to the afore-referred FIR, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in **Kulwinder Singh and others versus State of Haryana and others, 2007(3) RCR (Criminal) 1052**, I deem it just and proper to allow the petition and resultantly quash the DDR No.29 dated 03.04.2015, registered under Sections 323, 324, 34 IPC, at Police Station Jandiala, District Amritsar Rural in FIR No.71 dated 25.03.2015, registered under Sections 323, 324, 34 IPC, at Police Station Jandiala, District Amritsar Rural and all proceedings arising therefrom.

(DEEPAK SIBAL)
JUDGE

May 26, 2017
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<i>(i) Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>(ii) Whether reportable</i>	<i>Yes/No</i>