

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

**CRM-M-34807-2015 (O&M)
Date of Decision: 29.03.2017**

Aman Singh @ Amandeep Singh & others --Petitioners

Versus

State of Punjab & others --Respondents

2. CRM-M-34838-2015 (O&M)

Ranjit Singh & others --Petitioners

Versus

State of Punjab & others --Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. P.S. Bajwa, Advocate for the petitioners.(in CRM-M-34807-2015 and for respondents No.2 & 3 in CRM-M-34838-2015).

Mr. P.S. Grewal, DAG, Punjab.

Mr. Nikhil Bhatia, Advocate for Mr. Ravinder Singh, Advocate for the petitioners.(in CRM-M-34838-2015 and for respondents No.2 to 7 in CRM-M-34807-2015).

TEJINDER SINGH DHINDSA, J.

This order shall dispose of CRM-M-34807-2015 (Aman Singh @ Amandeep Singh & others) and CRM-M-34838-2015 (Ranjit Singh & others Vs. State of Punjab & others) as these two connected petitions have been filed under Section 482 Cr.P.C. seeking quashing of FIR No.228, dated 22.07.2014, under Sections 326/325/324/323/148/149 IPC (Section 308 IPC added lateron), registered at Police Station Sadar Ferozepur, District Ferozepur as also the Rapat No.46, dated 22.07.2014, under Sections 326/324/323/148/149 IPC, registered at Police Station Sadar Ferozepur, District Ferozepur i.e. cross version in the aforenoticed FIR.

Since both these petitions seeking quashing of the version and cross version had been filed on the basis of a compromise, this Court vide order dated 12.04.2016 had directed the parties to appear before the trial Court/Illaq Magistrate on 11.05.2016 for recording of their statements in support of the compromise. A veracity report was also called for.

Placed on record on both these petitions are two separate reports carrying even date i.e. 16.06.2016 of the learned Additional Chief Judicial Magistrate, Ferozepur and a perusal thereof would reveal that statements of the parties in both the version and cross version have been duly recorded and it has been opined that a compromise has been entered into between the parties voluntarily, without any threat, coercion or undue influence.

This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a Full Bench decision of this Court in ***Kulwinder Singh & others Vs. State of Punjab & others, 2007 (3) RCR (Criminal) 1052.***

Adverting back to the facts of the present case, it would be apposite to notice that the rival parties are residents of the same village. The alleged occurrence had taken place for a petty issue i.e. use of a common passage. That apart, even though offence under Section 308 IPC has been cited in the main FIR, yet the compromise has been thrashed out at the very initial stage and during the course of investigation itself.

In the considered view of this Court, these two petitions filed under Section 482 Cr.P.C. seeking quashing of version and cross version on the basis of compromise would fall within the parameters/guidelines furnished by the

Hon'ble Supreme Court in **Narinder Singh & others Versus State of Punjab & another, 2014(2) RCR (Criminal) 482.**

Taking cognizance of the compromise would certainly promote peace and harmony amongst the residents of the same village. Continuation of prosecution inspite of the compromise would amount to an abuse of the process of law as also of the Court.

For the reasons recorded above, both the petitions are allowed. FIR No.228, dated 22.07.2014, under Sections 326/325/324/323/148/149 IPC (Section 308 IPC added lateron), registered at Police Station Sadar Ferozepur, District Ferozepur as well as cross version i.e. Rapat No.46, dated 22.07.2014, under Sections 326/324/323/148/149 IPC, registered at Police Station Sadar Ferozepur, District Ferozepur and all proceedings emanating therefrom stand quashed.

Petitions allowed in the aforesaid terms.

29.03.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |