

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

Date of decision : 18.01.2017

1.

CRM-M-37568-2016

Amrinder Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

2.

CRM-M-37784-2016

Darshan Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.S.S.Gill, Advocate
for the petitioners in CRM-M-37568-2016 &
for respondents no.2 & 3 in CRM-37784-2016.

Mr. Vikas Chopra, DAG, Haryana.

Mr.Binat Sharma, Advocate
for the petitioners in CRM-M-37784-2016 &
for respondents no.2 to 5 in CRM-M-37568-2016.

AMOL RATTAN SINGH, J.(ORAL)

By way of this order, I shall dispose of both the aforesaid
criminal petitions together, pertaining to version and cross version of the
same incident, relating to FIR No.90 dated 18.06.2015 registered at Police

In CRM-M-37568-2016, FIR No.90 dated 18.06.2015, registered against the petitioners, namely Amrinder Singh, Bahal Singh, Karamjit Kaur @ Harjot Kaur and Kuljinder Singh at Police Station Doraha, District Ludhiana, for the alleged commission of offences punishable under Sections 323, 324, 452, 506, 148, 149 IPC, is sought to be quashed, and in CRM-M-37784-2016, the cross case registered vide report no.13 dated 19.06.2015, against the petitioners, namely Darshan Singh, Baljinder Singh, Prabhjot Kaur, Harinder Kaur and Narinder Singh @ Napinder Singh, for the alleged commission of offences punishable under Section 323, 341, 506, 148, 149 IPC, is sought to be quashed, both on the basis of a compromise arrived at between the petitioners-accused and the private respondents, i.e. the complainants and the injured.

Vide an order of this Court dated 21.10.2016, the parties were directed to appear before the learned trial Court to get their statements recorded in terms of the compromise.

Pursuant to the order dated 21.10.2016, the report of the learned Sub Divisional Judicial Magistrate, Payal, has been received, stating therein that the statements of the petitioners and the private respondents, i.e. the complainant and eye-witness/injured have been recorded, to the effect that they have compromised the matter with the petitioners as per the compromise deed dated 03.10.2016.

As per the assessment of the learned Magistrate, the compromise arrived at between the parties is of their own free will.

Both learned counsel for the petitioners and private respondents in these two petitions are ad idem that the statements recorded are in respect of a compromise reached qua both, the first version and the cross version of

the incident.

In view of the above, keeping in view the nature of the offences and the ratio of the law laid down by the hon'ble Supreme Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, in the opinion of this Court, it would be pointless to continue with criminal proceedings, the parties having fully compromised the matter of their own free will.

Consequently, the petitions are allowed and FIR No.90 dated 18.06.2015, registered against the petitioners in CRM-M No.37568 of 2016, at Police Station Doraha, District Ludhiana, for the alleged commission of offences punishable under Sections 323, 324, 452, 506, 148, 149 IPC, as also the cross case registered vide report no.13 dated 19.06.2015 against the petitioners in CRM-M No.37784 of 2016, for the alleged commission of offences punishable under Section 323, 341, 506, 148, 149 IPC, along with all proceedings emanating therefrom, are hereby quashed.

(AMOL RATTAN SINGH)
JUDGE

January 18, 2017.

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No