

CRM No. M-38138 of 2017

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No. M-38138 of 2017
Date of Decision : 10.11.2017

Rajwinder Singh and others

...Petitioners

versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Ms. Amanpreet Kaur, Advocate for the petitioners.

Mr. Sandeep Virmani, Addl. Advocate General, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking quashing of FIR No. 47 dated 19.05.2015, under Sections 323, 325, 341, 506, 148, 149 IPC (Section 307 IPC added later on), registered at Police Station Bassi Pathana, Fatehgarh Sahib (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of compromise dated 09.02.2017 (Annexure P-3) arrived at between the parties.

Learned counsel for the petitioners contends that the FIR is outcome of a dispute between residents of the same village over cultivation of agricultural land and the matter has been compromised with the intervention of respectables. He further contends that the injury in respect of which Section 307 IPC was added later on, was inflicted on the complainant with a rod and the complainant has fully recovered therefrom.

This Court vide order dated 11.10.2017 had directed the parties to appear before the trial Court/Illaqa Magistrate for recording their statements with regard to the genuineness of compromise. The report of Additional District and Sessions Judge, Fatehgarh Sahib, dated 30.10.2017 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded, which indicates that they have entered into compromise voluntarily and without any pressure or coercion.

The FIR is outcome of a dispute between residents of the same village over cultivation of agricultural land. The matter has been compromised and the parties want to live in peace and harmony.

In view of the law laid down in "*Narinder Singh Vs. State of Punjab*" 2014 (6) SCC 466, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No. 47 dated 19.05.2015, under Sections 323, 325, 341, 506, 148, 149 IPC (Section 307 IPC added later on), registered at Police Station Bassi Pathana, Fatehgarh Sahib and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners only.

November 10, 2017
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(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned?	Yes
Whether reportable?	No