

249

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

**CRM-M-39402-2016
Date of Decision: 03.03.2017**

Nachhattar Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

(ii) CRM-M-39425-2016

Gurdeep Singh and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HONBLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Rajan Bansal, Advocate,
for the petitioners
for the complainant in CRM-M-39425-2016.

Mr. S.S. Gill, AAG, Punjab.

Mr. Ashish Gupta, Advocate,
for respondent Nos.2 & 3
for the petitioners in CRM-M-39425-2016.

SUDIP AHLUWALIA J. (ORAL)

1. These two petitions seek quashing of FIR No.79 dated 11.09.2012 of Police Station Bajakhana, District Faridkot registered under Sections 324, 34 IPC (later on added Section 326 IPC) and the cross-case bearing Rapat No.33 of the even date registered under Sections 324, 323, 148, 149 of IPC, on the basis of compromise.

2. The complainants in both the cases are real brothers and the concerned occurrence involving certain violence had taken place on the relevant date. Investigations in both the cases have already been completed.

3. Earlier vide order dated 07.11.2016, this Court had referred the matter to the concerned Illaqa Magistrate for the purpose of verifying the factum of compromise relied upon by the petitioners. Report of the Ld. Illaqa Magistrate dated 25.11.2016 has since been received alongwith copies of the statements of the parties recorded by her, and from which it transpires that the dispute between them arising out of the alleged occurrence/offences has since been amicably compromised.

4. In view of the decision of the Hon'ble Supreme Court in *Gian Singh Vs. State of Punjab and another, 2012(4) RCR (Criminal) 543* and *Narinder Singh and Others Vs. State of Punjab and Another, (2014) 6 SCC 466*, this Court is of the opinion that no useful purpose can be served by keeping the criminal proceedings pending since the victim has himself compromised the dispute with the petitioners/accused persons and has furnished an affidavit to this effect.

5. In the circumstances, the present petition is allowed. FIR No.79 dated 11.09.2012 of Police Station Bajakhana, District Faridkot and the cross-case bearing Rapat No.33 of the even date with all consequential proceedings arising therefrom, are hereby quashed qua the petitioners in both the petitions.

03.03.2017

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned : Yes No

Whether Reportable : Yes No