

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-42913-2016

Date of Decision:- 28.03.2017

Bharat Bhushan and others

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Dinesh Mahajan, Advocate
for the petitioners.**

Mr. APS Gill, AAG, Punjab.

**Mr. Rimple Saini, Advocate
for respondent No.2.**

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.34 dated 13.04.2015, under Sections 452, 323, 354, 148 and 149 IPC, registered at Police Station Kanwan, District Pathankot, on the basis of compromise dated 06.10.2016 (Annexure P-2).

Brief facts of the case are that the present FIR has been registered against the petitioners on the statement of respondent No.2-Ram Rakha with the allegations that on 11.04.2015 Bharat Bhushan and Deepak Kumar (petitioner Nos.1 and 2) used filthy language and abused Neelam Jyoti and inflicted injuries to the complainant and his brother.

Learned counsel for the petitioners submits that keeping in view the peace and harmony, the matter has now been amicably settled between the parties with the intervention of respectable persons, vide compromise dated 06.10.2016 (Annexure P-2).

During the course of preliminary hearing, the trial Court, was directed to record the statements of all the concerned parties, with regard to

the genuineness and validity or otherwise of the compromise dated 06.10.2016 (Annexure P-2), by way of order dated 01.12.2016, by this Court.

In compliance of order dated 01.12.2016 of this Court, the report of the Additional Chief Judicial Magistrate, Pathankot dated 23.12.2016 has been received. As per the report, the statements of all the concerned parties have been recorded and the complainant has no objection, if the present FIR registered against the petitioners is quashed. Statements of the petitioners and complainant have been recorded to the same effect.

Consequently, in view of the above-said report and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc. Vs. State of Madhya Pradesh and another**, 2008(2) RCR (Criminal) 910; **Madan Mohan Abbot Vs. State of Punjab**, 2008(2) RCR (Criminal) 429 and the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and Ors. vs. State of Punjab and another**, 2007(3) RCR (Crl.) 1052, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.34 dated 13.04.2015, under Sections 452, 323, 354, 148 and 149 IPC, registered at Police Station Kanwan, District Pathankot and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 06.10.2016 (Annexure P-2).

The present petition stands disposed of.

March 28, 2017

naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No