

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

**CRM NO. M-4322 OF 2017(O&M)
DECIDED ON : 13.11.2017**

Nishan Singh and others

...Petitioners

versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Himanshu Monga, Advocate for
Ms. Manjit Kaur, Advocate,
for the petitioners.

Mr. Kanisth Ganeriwala, AAG, Punjab.

Mr. R. K. Arya, Advocate,
for respondents No.2 and 3.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking quashing of cross case recorded vide DDR No.26 dated 05.12.2016 under Sections 323/325/148/149 IPC registered at Police Station Ramdas, District Amritsar (Annexure P-1), on the basis of compromise arrived at between the parties.

Learned counsel for the petitioners contends that DDR is an outcome of a dispute between the neighbours. All the injured have fully recovered from their injuries and the matter has now been compromised.

A co-ordinate Bench of this Court by the order dated 09.02.2017, had directed the parties to appear before the Illaqa

Magistrate/trial Court for recording their statements with regard to veracity of the compromise. The Judicial Magistrate Ist Class, Ajnala, has sent her report dated 17.03.2017, wherein it is stated that in pursuance to the order of this Court, statements of petitioners No.1 to 5 and complainant/respondents No.2 and 3 were recorded. As per the statements, compromise has been effected without any fear or undue influence.

Later in pursuance to the order of co-ordinate Bench of this Court, the trial Court was directed to record the statements of petitioners No.6, 7 and 8 and sent a fresh report in this regard. Accordingly, the Judicial Magistrate Ist Classs, Ajnala, has sent her report dated 14.09.2017, wherein it is stated that statements of petitioners No.6 and 8 were recorded. However, petitioner No.7 did not appear before the Court for getting his statement recorded. As per the statements of petitioners No.6 and 8, the compromise has been effected without any fear or undue influence.

The DDR is an outcome of a dispute between the neighbours and the injured have fully recovered from their injuries. The matter has now been compromised.

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 the cross case recorded vide DDR No.26 dated 05.12.2016 under Sections 323/325/148/149 IPC

registered at Police Station Ramdas, District Amritsar and all consequential proceedings arising therefrom, are hereby quashed qua petitioners No. 1 to 6 and 8 only.

(ANUPINDER SINGH GREWAL)
JUDGE

NOVEMBER 13, 2017
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Whether speaking/reasoned	:	Yes /	No
Whether reportable	:	Yes /	No