

CRM No. M-5132 of 2017(O&M)

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No. M-5132 of 2017(O&M)
Date of Decision : 28.08.2017

Rakesh Kumar @ Kala and others

...Petitioners

versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Sharad Mehra, Advocate for the petitioners.

Ms. Seena Mand, Deputy Advocate General, Punjab.

Mr. Swati Verma, Advocate for
Mr. Amarbir Singh Pahwa, Advocate
for respondents No. 2 and 3.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking quashing of FIR No. 789, dated 17.12.2016, under Sections 452, 323, 324, 34 IPC, registered at Police Station Civil Lines Amritsar, District Amritsar, on the basis of compromise, which has been arrived at between the parties.

Learned counsel for the petitioners contends that the FIR is outcome of a sudden quarrel between neighbours, which has now been resolved with the intervention of the respectables.

A co-ordinate Bench of this Court by the order dated 16.02.2017 had directed the parties to appear before the Illaqa Magistrate for recording their statements with regard to the

veracity of compromise. The Chief Judicial Magistrate, Amritsar, has sent her report dated 23.03.2017, wherein it is stated that in pursuance to the order of this Court, statements of the parties were recorded. As per the statements, compromise has been effected without any pressure or coercion.

The FIR is outcome of a dispute between neighbours, which has now been resolved with the intervention of respectables.

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. 789, dated 17.12.2016, under Sections 452, 323, 324, 34 IPC, registered at Police Station Civil Lines Amritsar, District Amritsar and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners only.

August 28, 2017
kanchan

(ANUPINDER SINGH GREWAL)
JUDGE

<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>No</i>