

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

**CRM-M No.9170 of 2016
Date of Decision: 03.05.2017**

Mohinderpal Singh and others Petitioners

Versus

State of Punjab and others Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Gurpreet Singh, Advocate
for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab
for respondent No.1-State.

Mr. Harjot Singh Bedi, Advocate
for respondents No.2 to 4.

DEEPAK SIBAL J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of cross case registered vide DDR No.41 dated 05.12.2014 (Annexure P-2) in FIR No.188, dated 05.12.2014, registered under Sections 452, 323, 325, 506 and 34 IPC, at Police Station Mukerian, District Hoshiarpur, as well as criminal complaint and the summoning order dated 20.01.2016 (Annexures P-3 and P-4) and all consequential proceedings arising therefrom, on the basis of compromise (Annexure P-5).

On March 16, 2016 vide order dated August 29, 2016, this Court had directed the parties to appear before the trial Court for recording of their statements, who in turn was directed to send a report with regard to the genuineness of the compromise.

As directed, report dated 27.09.2016 from the Sub Divisional Judicial Magistrate, Mukerian has been received, as per which the parties had recorded their statements before the trial Court in terms of the

compromise arrived at between them without any coercion or undue influence.

Learned State counsel has also no objection if the present petition is allowed .

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR in which the allegations pertain to a private dispute between the parties, who are relatives; not heinous in nature; at the stage of investigation and the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Haryana and others*, 2007 (3) RCR (Criminal), 1052, I deem it just and proper to allow the petition and resultantly quash the cross case registered vide DDR No.41 dated 05.12.2014 (Annexure P-2) in FIR No.188, dated 05.12.2014, registered under Sections 452, 323, 325, 506 and 34 IPC, at Police Station Mukerian, District Hoshiarpur, as well as criminal complaint and the summoning order dated 20.01.2016 (Annexures P-3 and P-4) and all proceedings arising therefrom.

(DEEPAK SIBAL)
JUDGE

May 03, 2017

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No