

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 273(2)

CRM-M-7361-2017

Decided on : 18.04.2017

Tek Singh @ Gurtej Singh Singh and others

..... Petitioner(s)

VERSUS

State of Punjab and others

..... Respondent(s)

CORAM:    HON'BLE MR. JUSTICE DEEPAK SIBAL

Present:    Mr.Saransh Sabharwal, Advocate, for  
                  Mr.Nikhil Bhatia, Advocate, for the petitioners.

                  Mr.Sultan Singh Gill, DAG, Punjab.

                  Mr.Ripu Daman, Advocate, for  
                  Mr.S.P.S.Sidhu, Advocate, for respondents No.2 and 3.

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DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 482 Cr.P.C. quashing of DDR No.33, dated 02.08.2016, registered under Sections 341, 324, 323, 34 and 326 IPC in case FIR No.184, dated 01.08.2016, registered under Sections 452, 324, 323, 148, 149 and 326 IPC, at Police Station Sadar Ferozepur, District Ferozepur, alongwith all subsequent proceedings arising therefrom, is sought for on the basis of compromise.

Through order of this Court dated 06.03.2017, the parties were directed to appear before the Area Magistrate for recording their statements with regard to compromise, who in turn, was directed to record the statements of both the parties to its satisfaction and send a report to this Court.

As directed, report dated 10.04.2017 from the Additional Chief Judicial Magistrate, Ferozepur, has been received, as per which the parties recorded their statements before the trial court in terms of the compromise arrived at between them and that the compromise is genuine, voluntary and without any inducement, threat or pressure.

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

In view of the above as also for the reason that the dispute between the parties does not involve a heinous crime; the investigation is yet to conclude and the matter between the parties, who belong to the same village, has been amicably resolved, continuation of the proceedings in pursuance to the afore-referred FIR, 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 versus State of Haryana and others*", 2007(3) RCR (Criminal) 1052, I deem it just and proper to allow the petition and resultantly quash DDR No.33, dated 02.08.2016, registered under Sections 341, 324, 323, 34 and 326 IPC in case FIR No.184, dated 01.08.2016, registered under Sections 452, 324, 323, 148, 149 and 326 IPC, at Police Station Sadar Ferozepur, District Ferozepur, and all proceedings arising therefrom.

18.04.2017  
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**[ DEEPAK SIBAL ]**  
**JUDGE**

|                           |   |          |
|---------------------------|---|----------|
| Whether speaking/reasoned | : | Yes / No |
| Whether reportable        | : | Yes / No |