

CRM-M-12475-2017 and
CRM-M-12458-2017

-1-

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

(1)

CRM-M-12475-2017

Manpreet Singh

.....Petitioner(s)

Versus

State of Punjab and another

.....Respondent(s)

(2)

CRM-M-12458-2017

Ekamkar Singh

.....Petitioner(s)

Versus

State of Punjab and another

.....Respondent(s)

Date of decision: -16.2.2018

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Digvijay Nagpal, Advocate
for the petitioner in **CRM-M-12475-2017** and
for respondent No.2 in **CRM-M-12458-2017**.

Ms. Deepika Nagpal, Advocate
for the petitioners in **CRM-M-12458-2017** and
for respondent No.2 in **CRM-M-12475-2017**.

Mr. Tanvir Joshi, AAG, Punjab
for respondent No.1 in both cases.

MAHABIR SINGH SINDHU, J. (ORAL)

As identical questions of law and facts are involved, therefore, I propose to decide above indicated petitions, arising out of the same incident/cross-case/FIR, by means of this common judgment, in order to avoid the repetition.

2. Initially, in the wake of complaint of complainant Ekamkar Singh-respondent No.1 (for brevity “the complainant in 1st case”), a criminal case was registered against the petitioners-accused (in 1st case), vide FIR No.61 dated 15.5.2016, under Sections 325, 323, 447 IPC, registered at Police Station Lambi District, Muktsar.

3. Likewise, in pursuance of separate statement of complainant Manpreet Singh-respondent No.2 (for short 'the complainant in 2nd case'), a criminal cross-case was also registered against petitioners-accused (in 2nd case), vide DDR No.27 dated 16.5.2016 under Section 323/34 recorded in above-said FIR No.61 dated 15.5.2016.

4. Heard.

5. Both the parties were directed by this Court, vide orders dated 18.4.2017 to appear before the learned trial Court/Illaq Magistrate and get their statements recorded and in pursuance thereof, learned Sub-Divisional Judicial Magistrate, Malout, recorded the statements of both the parties and submitted a report dated 9.5.2017. A perusal of the report reveals that the compromise entered into between the parties is with their own sweet will, without any inducement and coercion.

6. Having regard to the contentions of learned counsel for the parties and the fact that the occurrence relating to cross fight on both sides, who have ultimately settled their disputes with the intervention and the compromise shall give an opportunity to them to live peacefully in future as well. Hence, it would be in the interest and justice that parties are allowed to compromise the matter as continuance of the prosecution would be an exercise in futility. It is agreed by both the parties that injuries were not on the vital part of the body. Even before this Court also, none of the parties has raised any objection against the quashing of the FIR/cross-case in question.

7. No objection has been raised by the learned State counsel on a specific query put to him by the Court with regard to quashing of the FIR as well as all other consequential proceedings on the basis of the compromise effected between the parties in this case.

8. In view of above, the impugned FIR and its cross-version and all consequent proceedings resulting therefrom are hereby quashed qua petitioner(s).

9. Petitions are allowed.

(MAHABIR SINGH SINDHU)
JUDGE

16.2.2018
Gaurav Sorot

Whether reportable? Yes

Whether reasoned/speaking? Yes