

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

**(1) Crl. Misc. No. M-16955 of 2018 (O&M)
Date of decision: October 16, 2018**

Gurmukh Singh and others

..... PETITIONER(s)

Versus

State of Punjab and another

....RESPONDENT(s)

(2) Crl. Misc. No.M- 17390 of 2018 (O&M)

Kulwant Singh and others

..... PETITIONER(s)

Versus

State of Punjab and others

....RESPONDENT(s)

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Bikramjit Aroua, Advocate
for the petitioners in CRM-M-16955-2018 and
for respondent No.2 in CRM-M-17390-2018.

Mr. N.S.Dadwal, Advocate
for the petitioners in CRM-M-17390-2018 and
for respondent No. 2 in CRM-M-16955-2018.

Mr. Karanbir Singh, A.A.G., Punjab.

SURINDER GUPTA, J(Oral)

This order will dispose of both the aforementioned petitions filed under Section 482 of the Code of Criminal Procedure (for short, 'Cr.P.C.').

An FIR No. 62 dated 17.10.2011 was registered at Police Station Sarai Amanat Khan, District Amritsar City for the offences punishable under Sections 323, 325, 326, 148 read with Section 149 of Indian Penal Code (for short 'IPC') on the statement of Kulwant Singh-respondent No.2. Another

cross case was registered vide Rapat No. 22 dated 20.10.2011 at Police Station Sarai Amanat Khan, District Amritsar City for the offences punishable under Sections 323, 326, 148 read with Section 149 IPC in above mentioned FIR on the statement of Gurbhej Singh-respondent No. 2 (son of petitioner No. 1 in CRM-M-16955-2018). Both the parties have sought relief of quashing the FIRs on the basis of compromise.

As per case of the prosecution, the occurrence took place on 09.10.2011 regarding which FIR No. 62 dated 17.10.2011 was registered at Police Station Sarai Amanat Khan, District Amritsar City. As per allegations of the complainant-Kulwant Singh, he was caused injuries by the petitioners. In the cross-case, registered on the statement of Gurbhej Singh, he had also alleged that the petitioner-Kulwant Singh and others caused him injuries. It is submitted that the matter has since been amicably settled.

I have heard learned counsel for the parties and perused the case file.

Learned counsel for the private parties submit that the parties are related to each other and the dispute between them has since been settled due to intervention of relatives vide compromise dated 24.11.2017 (Annexure P-3). It has also been stated that now both the parties are having no objection if both the FIRs, which are cross cases, along with consequential proceedings are quashed.

As per direction of this Court, parties appeared before the trial court and got their statements recorded. The trial court has sent its report dated 20.08.2018 (in both petitions) stating therein that the compromise has been effected between the parties which appears to be voluntary in nature and without any pressure or influence.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

For the reasons as discussed above, both the aforementioned petitions are allowed and FIR No. 62 dated 17.10.2011 was registered at Police Station Sarai Amanat Khan, District Amritsar City and another cross case registered vide Rapat No. 22 dated 20.10.2011 at same police station in above mentioned FIR, along with all consequential proceedings arising therefrom are quashed.

October 16, 2018
Jyoti-II

(SURINDER GUPTA)
JUDGE

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