

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

(1)

Crl. Misc. No. M-17427 of 2018(O&M)

Date of decision: July 30, 2018

Joginder Kaur and Ors.

..... Petitioners

Versus

v

State of Punjab and Anr.

.... Respondents

(2)

Crl. Misc. No.M-17744-2018 (O&M)

Harjit Singh and Ors.

..... Petitioners

Versus

State of Punjab and Anr.

....Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. D.S. Nigha, Advocate
for the petitioners in CRM-M No.17427-2018.

Mr. Avtar Singh Khinda, Advocate
for the petitioners in CRM-M No.17744-2018.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.
for the respondent-State.

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.29 dated 07.05.2015 was registered at Police Station

Begowal, Distt. Kapurthala for the offences punishable under Sections 323,

342, 506 read with Section 34 of Indian Penal Code (for short 'IPC') on the statement of Daljit Kaur @ Daljitam Kaur (respondent No.2 in CRM-M-17744-2018). Another DDR No.32 dated 08.05.2015 for the offences under Sections 323, 324 read with Section 34 IPC was registered at same police station on the statement of Rajwinder Kaur (respondent No.2 in CRM-M No.17427 of 2018). Both the parties have sought relief of quashing of the FIR and DDR on the basis of compromise.

As per case of the prosecution, occurrence took place on 06.05.2015 in which Rajwinder Kaur on one side and Daljit Kaur on other side, suffered injuries.

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

Learned counsel for the parties submit that the dispute between the parties has since been settled due to intervention of respectables vide affidavits of Rajwinder Kaur wife of Harjit Singh dated 26.07.2016 in CRM-M-17427-2018 and of Daljitam Kaur d/o Joginder Singh dated 01.08.2016 in CRM-M-17744-2018 . It has also been stated that now both the parties are having no objection if both FIR and DDR, which are cross cases, along with consequential proceedings, are quashed.

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 30.05.2018 in both the petitions, stating therein that the compromise has been effected between the complainant and the accused, 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 and DDR should be quashed. Keeping the cases pending will not serve the ends of justice. The quashing of the FIR and DDR will provide the parties to the petitions 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 the impugned FIR No.29 dated 07.05.2015 registered at Police Station Begowal, Distt. Kapurthala for the offences punishable under Sections 323, 342, 506 read with Section 34 IPC and DDR No.32 dated 08.05.2015 registered at same police station for the offences under Sections 323, 324 read with Section 34 IPC along with all consequential proceedings arising therefrom, are quashed, qua petitioners.

July 30, 2018
Jyoti-II/Manju

(SURINDER GUPTA)
JUDGE

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