

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

(1)

Crl. Misc. No. M-23531 of 2018(O&M)

Date of decision: July 18, 2018

Daljinder Singh @ Bobby and others

..... PETITIONER(s)

Versus

State of Punjab and others

....RESPONDENT(s)

(2)

Crl. Misc. No.M-24222 of 2018 (O&M)

Inderjit Singh and others

..... PETITIONER(s)

Versus

State of Punjab and others

....RESPONDENT(s)

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Tajinder Pal Singh Makkar, Advocate
for the petitioners in CRM-M-23531-2018 and
for respondent No.2 to in CRM-M-24222-2018.

Mr. Sandeep Kumar, D.A.G. Punjab
for the respondent-State.

Mr. H.S. Chawla, Advocate for
respondents No.2 to 4 in CRM-M-23531-2018 and
for petitioners in CRM-M-24222-2018.

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.37 dated 18.03.2016 was registered at Police Station

Bhikhiwind, District Tarn Taran (Annexure P-1) for the offences punishable under Sections 452, 324, 148 read with Section 149 of Indian Penal Code (for short 'IPC') on the statement of Inderjit Singh (respondent No.2 in CRM-M-23531-2018). A cross-version vide DDR No.21 dated 21.03.2016 for the offences under Sections 452, 323, 326, 148 read with Section 149 IPC was registered in the same Police Station on the statement of Sanampreet Singh (petitioner No.2 in CRM-M-24222-2018). Both the parties have sought relief of quashing of the FIR and DDR on the basis of compromise.

As per allegations in the FIR, private respondents Inderjit Singh and others were objecting to the taking of liquor by petitioners Daljinder Singh @ Bobby and others, in street in their car at which they caused injuries on their person.

As per allegations in the DDR, respondent No.2-Sanampreet Singh was caused grievous hurt with sharp edged weapon by petitioners Inderjit Singh and others.

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

Learned counsel for the private parties submit that the FIR and DDR are out come of a sudden fight between the parties and the dispute between them has since been settled due to intervention of relatives vide compromise dated 26.03.2018 (Annexure P-3). It has also been stated that now both the parties are having no objection if the 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

05.07.2018 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 FIR and DDR will provide the parties to these 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 (Annexure P-1) and DDR (Annexure P-2) along with all consequential proceedings arising therefrom are quashed.

(SURINDER GUPTA)
JUDGE

July 18, 2018
Sachin M.

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No