

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(1) CRM-M-29266-2017
Deepak Chadha and anotherPetitioner(s)

Versus

State of Punjab and anotherRespondent(s)

(2) CRM-M-30878-2017
Ashok Kumar and othersPetitioner(s)

Versus

State of Punjab and anotherRespondent(s)

Date of decision: -07.02.2018

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. G.S. Bajwa, Advocate
for Mr. Anoop Singla, Advocate
for the petitioners in **CRM-M-29266-2017** and
for respondent No.2 in **CRM-M-30878-2017**.

Mr. R.S. Bajaj, Advocate
for the petitioners in **CRM-M-30878-2017** and
for respondent No.2 in **CRM-M-29266-2017** .

Mr. Harbir Sandhu, 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 the above mentioned 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 Jagtar Singh-respondent No.2 (for brevity “the complainant in 1st case”), a criminal case was registered against the petitioners-accused (in 1st case), vide FIR No.19 dated 26.01.2011, under Sections 420, 447, 468 and 471 IPC, registered at Police Station Navi Baradari, Jalandhar.

3. Likewise, in pursuance of separate statement of complainant Deepak Chadha son of Yashpal Chadha-respondent No.2 (for short 'the complainant in 2nd case'), a criminal cross-case was also registered against petitioners-accused (in 2nd case), vide FIR No.20 dated 27.01.2011, under Section 409 IPC, registered at Police Station Navi Baradari, Jalandhar.

4. Heard.

5. Both the parties were directed by this Court, vide order dated 10.08.2017 as well as order dated 24.08.2017 to appear before the learned Illaqa Magistrate/trial Court and get their statements recorded and in pursuance thereof, learned Judicial Magistrate 1st Class, Jalandhar, recorded the statements of both the parties and submitted a report dated 13.10.2017. A perusal of the report reveals that the compromise entered into between the parties is without any pressure or coercion.

6. Having regard to the contentions of learned counsel for the parties and the fact that the parties 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. Further, the dispute is personal in nature and no public funds are involved in this

case. Even before this Court also, none of the parties has raised any objection against the quashing of the FIRs 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 FIRs 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 FIRs and all consequent proceedings resulting therefrom, qua petitioners only (in both the petitions), are hereby quashed.

9. Petitions are allowed.

(MAHABIR SINGH SINDHU)
JUDGE

February 07, 2018
naresh.k

Whether reportable?	Yes
Whether reasoned/speaking?	Yes