

(1)

CRM-M-30304-2017 &
CRM-M-30315-2017

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of Decision: 4th May, 2018

CRM-M-30304-2017

Labh Singh @ Labbu & others

...Petitioners

Versus

State of Punjab & others

...Respondents

(2)

CRM-M-30315-2017

Baldev Singh & another

...Petitioners

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Rakesh Kumar, Advocate,
for the petitioners in CRM-M-30304-2017 &
for respondents No.2 and 3 in CRM-M-30315-2017.

Mr. Navjot Singh, Advocate,
for the petitioners in CRM-M-30315-2017 &
for respondents No.2 and 3 in CRM-M-30304-2017.

Mr. Kuldeep Singh, Sr. DAG, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

By this order, I propose to dispose of two petitions filed
under Section 482 Cr.P.C., i.e. CRM-M-30304-2017, titled as 'Labh
Singh @ Labbu & others Vs. State of Punjab & others' and CRM-M-
30315-2017, titled as 'Baldev Singh & another Vs. State of Punjab &
others'.

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In CRM-M-30304-2017, prayer is for quashing of FIR No.0099 dated 28.09.2015, under Sections 323, 326 324, 148 and 149 of the Indian Penal Code (hereinafter referred to as 'IPC'), registered at Police Station Fattu DHINGA, District Kapurthala, (Annexure P-1) along with DDR No.22 dated 08.10.2015 (Annexure P-2) and all subsequent proceedings arising therefrom and in CRM-M-30315-2017, prayer is for quashing of DDR No.32 dated 29.09.2015, under Sections 341, 427 and 506 of IPC, registered at Police Station Fattu DHINGA, District Kapurthala (Annexure P-1) in the light of compromise dated 26.02.2016 entered into between the parties.

This Court had ordered the parties to appear before the trial Court to get their statements recorded with reference to the compromise dated 26.02.2016, which has been entered into between them.

In pursuance to the directions issued by this Court, parties appeared before the Sub Divisional Judicial Magistrate, Sultanpur Lodhi and got recorded their respective statements supporting the factum of compromise referred to above. On the basis of the statements of the parties, reports have been submitted by the Sub Divisional Judicial Magistrate, Sultanpur Lodhi, wherein, it has been concluded that the parties have stated that there is no grudge or revenge which they carry against each other and there would be no untoward incident because of the earlier differences between them. It has also been submitted in the reports that the compromise entered into between the parties is genuine,

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voluntary, without any threat, pressure, coercion or undue influence.

In the light of the reports of Sub Divisional Judicial Magistrate, Sultanpur Lodhi, counsel for the petitioners and private respondents submit that these petitions may be allowed and the FIR in question along with DDRs be quashed as parties do not intend to pursue the same any further because of the compromise entered into between them.

Keeping in view the fact that the matter has been amicably resolved between the parties and the compromise dated 26.02.2016 entered into between the parties, which has been found to be genuine as per the reports of Sub-Division Judicial Magistrate, Sultanpur Lodhi, the continuation of proceedings before the trial Court would be a futile exercise and rather, wastage of time and energy, which cannot be permitted.

Keeping in view the factum of compromise having been entered into between the parties and in the light of the ratio of latest judgment of the Hon'ble Supreme Court in ***Criminal Appeal No.1723 of 2017***, titled as '***Parbatbhai Aahir @ Parbhabhai Bhimsinhbhai Karmur & others Vs. State of Gujarat & another***', decided on 04.10.2017 and in the judgment of ***Narinder Singh & others Vs. State of Punjab & another, 2014 (2) R.C.R. (Criminal) 482*** as also the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another, 2007 (3) RCR (Criminal) 1052***, the present

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petitions are allowed. FIR No.0099 dated 28.09.2015, under Sections 323, 326 324, 148 and 149 of IPC, registered at Police Station Fattu DHINGA, District Kapurthala, DDR No.22 dated 08.10.2015 and DDR No.32 dated 29.09.2015, under Sections 341, 427 and 506 of IPC, registered at Police Station Fattu DHINGA, District Kapurthala, along with all subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

4th May, 2018
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No