

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

(1) CRM-M No.38305 of 2016 (O&M)

Diwan Chand and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

(2) CRM-M No.43418 of 2016 (O&M)

Vikas Kumar and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

Date of Decision: 03.04.2018

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Gurpal Singh Sandhu, Advocate
for the petitioners (in CRM-M No.38305 of 2016) and
for respondent Nos.2 to 20 (in CRM-M No.43418 of 2016).

Mr. Tanvir Joshi, Assistant Advocate General, Punjab
for respondent No.1/State (in both the cases).

Ms. Manpreet Kaur, Advocate for
Mr. Ripu Daman Singh, Advocate
for the petitioners (in CRM-M No.43418 of 2016) and
for respondent Nos.2 to 13 (in CRM-M No.38305 of 2016).

MAHABIR SINGH SINDHU, J. (ORAL)

This order shall dispose off the aforementioned petitions as both

these petitions have arisen out of the same occurrence.

Both the aforementioned petitions under section 482 Cr.P.C. are for quashing of FIR No.34 dated 18.06.2014, under Sections 324, 323, 148 & 149 of the Indian Penal Code, registered at Police Station Kabarwala, District Sri Muktsar Sahib (**Annexure P-1**) as well as its cross-version recorded vide DDR No.25 dated 18.06.2014, under Sections 440, 427, 506, 323, 148 and 149 of the Indian Penal Code, registered at Police Station Kabarwala, District Sri Muktsar Sahib (**Annexure P-2**) and the subsequent proceedings arising therefrom on the basis of compromise dated 10.10.2016 (**Annexures P-2 and P-3** respectively) arrived at between the parties along with all subsequent proceedings arising from that FIR and cross-version.

Heard both the sides.

Both the parties were directed by this Court vide orders dated 27.10.2016 and 06.12.2016, respectively, to appear before the learned trial Court/Illaq Magistrate and get their statements recorded and in pursuance thereof, learned Civil Judge (Junior Division)-cum-JMIC, Malout recorded the statements of both the parties and submitted report(s) dated 14.03.2017.

A perusal of the reports clearly reveals that the matter has been compromised by both the parties with their free consent, voluntarily and without any coercion or undue influence. Even before this Court also, there is no objection by either of the parties in case the aforesaid FIR along with DDR are quashed. Even learned State Counsel, on instructions from the police official present in the Court, has also no objection in case the aforesaid FIR along with DDR as well as all other consequential proceedings are quashed on the basis of the compromise effected between the parties in this case.

Learned State Counsel on a pointed query has raised no objection if the FIR in question along with DDR are quashed.

In view of above, this Court is fully convinced that the offences are entirely personal in nature and do not affect any public peace or tranquility and thus quashing of FIR No.34 dated 18.06.2014 as well as its cross-version recorded vide DDR No.25 dated 18.06.2014 along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice.

Accordingly, the impugned FIR along with DDR and all consequential proceedings resulting therefrom, qua the petitioners, are hereby quashed.

Both the present petitions are allowed.

Photocopy of this order be placed on the connected case.

April 03, 2018
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
<i>Whether Reportable</i>	<i>Yes</i>