

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(1) CRM-M-39245-2017

Davinder Singh @ Bindri and othersPetitioner(s)

Versus

State of Punjab and othersRespondent(s)

(2) CRM-M-40295-2017

Vidya Devi and othersPetitioner(s)

Versus

State of Punjab and othersRespondent(s)

Date of decision: -30.01.2018

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ghulam Nabi Malik, Advocate
for the petitioners in **CRM-M-39245-2017** and
for respondents No.2 and 3 in **CRM-M-40295-2017**.

Mr. Kuldip Singh, Advocate
for the petitioners in **CRM-M-40295-2017** and
for respondents No.2 to 4 in **CRM-M-39245-2017** .

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 Gurmit Kaur wife of Gulwinder 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.63 dated 08.07.2017, under Sections 323, 324 and 34 IPC, registered at Police Station Sadar Ahmedgarh, Tehsil Malerkotla, District Sangrur.

3. Likewise, in pursuance of separate statement of complainant Gurpreet Kaur daughter of Mewa Singh-respondent No.3 (for short 'the complainant in 2nd case'), a criminal cross-case was also registered against petitioners-accused (in 2nd case), under Sections 323, 341 and 34 IPC, recorded in above-said FIR No.63 dated 08.07.2017.

4. Heard.

5. Both the parties were directed by this Court, vide order dated 13.10.2017 as well as order dated 07.12.2017 to appear before the learned trial Court and get their statements recorded and in pursuance thereof, learned Judicial Magistrate 1st Class, Malerkotla, recorded the statements of both the parties and submitted a report dated 23.01.2018. A perusal of the report reveals that the compromise entered into between the parties is genuine, voluntary and without any coercion or undue influence.

6. Having regard to the contentions of learned counsel for the parties and the fact that the occurrence relating to cross fight on both sides, who 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. It is agreed by both the parties that injuries were not on the vital part of the body. Even before this Court also, none of the parties has raised any objection against the quashing of the FIR/cross-case 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 FIR/cross-case 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 FIR and its cross-version and all consequent proceedings resulting therefrom are hereby quashed.

9. Petitions are allowed.

January 30, 2018
naresh.k

(MAHABIR SINGH SINDHU)
JUDGE

Whether reportable?	Yes
Whether reasoned/speaking?	Yes