

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Date of decision: 15.05.2018

CRM-M-41445-2017

Jaswinder Singh @ Jassi and others

...PETITIONERS

VERSUS

State of Punjab and another

....RESPONDENTS

CRM-M-43218-2017

Satish Mehta and others

...PETITIONERS

VERSUS

State of Punjab and others

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Jagmeet Singh Moudgill, Advocate,
for the petitioners in CRM-M-41445-2017.
for respondent No. 2 and 3 in CRM-M-43218-2017.

Mr. Kuldeep Singh, Sr. Deputy Advocate General, Punjab,
for the State.

Mr. Puneet Sharma, Advocate,
for the petitioners in CRM-M-43218-2017.
for respondent No. 2 in CRM-M-41445-2017.

AUGUSTINE GEORGE MASIH, J. (ORAL)

By this order, I propose to decide two petitions i.e. CRM-M-41445-2017 titled as Jaswinder Singh @ Jassi and others vs. State of Punjab and another and CRM-M-43218-2017 titled as Satish Mehta and others vs. State of Punjab and others.

In CRM-M-41445-2017, prayer is for quashing of FIR No. 83

dated 18.10.2017 (Annexure P-1) under Sections 307, 452, 324, 323, 379,

148, 149 IPC registered at Police Station City-2 Mansa, District Mansa and all consequential proceedings arising therefrom whereas in CRM-M-43218-2017, prayer is for quashing of General Diary No. GD-27 dated 18.10.2017 under Sections 341, 323, 148, 149 IPC registered at Police Station City-2 Mansa, District Mansa and all consequential proceedings arising therefrom on the basis of the compromise dated 20.10.2017 (Annexure P-2).

In pursuance to the order passed by this Court, the parties had appeared before the Chief Judicial Magistrate, Mansa and got recorded their respective statements with reference to the compromise, which has been entered into between the parties as it was asserted that the matter has been amicably resolved and none of the parties intends to pursue the cases, which have been initiated at their behest. On the basis the statements of the parties, reports have been submitted by the Chief Judicial Magistrate, Mansa in these cases where it has been concluded that the compromise entered into between the parties is genuine, with free consent, without any pressure, undue influence, coercion or fear. It has further been stated by the parties that they do not have any objection if the FIR and DDR recorded at their respective behest are quashed as they do not want to pursue them as per the compromise.

Counsel for the petitioners, in their respective cases, submit that in the light of the report of the Chief Judicial Magistrate, Mansa, and keeping in view the fact that the matter has been amicably resolved, these petitions may be allowed.

Having considered the submissions made by the counsel for the parties and keeping in view the reports submitted by the Chief Judicial Magistrate, Mansa, where it has been concluded that the compromise dated

20.10.2017 (Annexure P-2) entered into between the parties is genuine, it would be in the interest of justice that the dispute is brought to an end so that the parties can continue with their respective life without having any grudge against each other.

Keeping in view the ratio of the judgment of the Supreme Court in **Narinder Singh vs. State of Punjab**, 2014 (2) RCR (Criminal) 482 and Full Bench judgment of this Court in **Kulwinder Singh and others vs. State of Punjab and another**, 2007 (3) RCR (Criminal) 1052 and Crl. Appeal No. 1723 of 2017 titled as **Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur vs. State of Gujarat and another**, decided on 04.10.2017, these petitions are allowed. FIR No. 83 dated 18.10.2017 (Annexure P-1) under Sections 307, 452, 324, 323, 379, 148, 149 IPC registered at Police Station City-2 Mansa, District Mansa and all consequential proceedings arising therefrom whereas in CRM-M-43218-2017, prayer is for quashing of General Diary No. GD-27 dated 18.10.2017 under Sections 341, 323, 148, 149 IPC registered at Police Station City-2 Mansa, District Mansa and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners.

May 15, 2018

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No