

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

**266**

**Date of decision: 22.05.2018**

**CRM-M-44572-2017**

Harmeet Singh and others

**...PETITIONERS**

**VERSUS**

State of Punjab and others

**....RESPONDENTS**

**CRM-M-44563-2017**

Shani Singh and others

**...PETITIONERS**

**VERSUS**

State of Punjab and another

**...RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

Present: Mr. Nitin Rathour, Advocate,  
for Mr. B.S.Bhalla, Advocate,  
for the petitioners in CRM-M-44572-2017.  
for respondent No. 2 in CRM-M-44563-2017.

Mr. Dhruv Dayal, Sr. Deputy Advocate General, Punjab,  
for the State-respondent No. 1.

Mr. Harkaran Singh, Advocate,  
for the petitioners in CRM-M-44563-2017.  
for respondents No. 2 and 3 in CRM-M-44572-2017.

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**AUGUSTINE GEORGE MASIH, J. (ORAL)**

By this order, I propose to decide two petitions i.e. CRM-M-44572-2017 titled as **Harmeet Singh and others vs. State of Punjab and others** and CRM-M-44563-2017 titled as **Shani Singh and others vs. State of Punjab and another.**

In CRM-M-44572-2017, prayer is for quashing of

FIR No. 8 dated 22.01.2017 (Annexure P-1) under Sections 452/323/34 IPC registered at Police Station Moga Sadar, District Moga and all consequential proceedings arising therefrom whereas in CRM-M-44563-2017, prayer is for quashing of DDR No. 17 dated 25.01.2017 under Sections 323/148/149 IPC at Police Station Moga Sadar, District Moga and all consequential proceedings arising therefrom on the basis of the compromise dated 23.09.2017.

These cases came up for hearing before this Court on 24.11.2017 when the parties were directed to put their appearance before the Illaqa Magistrate, Police Station Moga Sadar, District Moga and get their statements recorded. The Illaqa Magistrate was to submit the report with regard to his satisfaction that the compromise is genuine.

In pursuance to the order passed by this Court, the parties appeared before the Additional Chief Judicial Magistrate, Moga on 11.12.2017 and got recorded their respective statements. On the basis of the statements given by the parties, learned Additional Chief Judicial Magistrate, Moga has submitted his report dated 08.03.2018, wherein it has been concluded that the compromise arrived at between the parties is voluntary, without any threat, pressure, greed or undue influence from any quarter.

In the light of the above report, counsel for the petitioners, in their respective cases, pray for quashing of the FIR as well as the DDR in question as the matter has been amicably resolved and the parties do not want to press their allegations against each other.

Keeping in view the above facts and circumstances when the matter has been amicably resolved and the parties do not want to further

aggravate their ill feelings, it would be in the interest of justice that the dispute is put to an end by quashing the FIR as well as the DDR, which have been recorded at the behest of the opposite party.

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. 8 dated 22.01.2017 (Annexure P-1) under Sections 452/323/34 IPC registered at Police Station Moga Sadar, District Moga and all consequential proceedings arising therefrom and DDR No. 17 dated 25.01.2017 under Sections 323/148/149 IPC at Police Station Moga Sadar, District Moga and all consequential proceedings arising therefrom are hereby quashed qua the petitioners only.

**May 22, 2018**  
*pj*

**(AUGUSTINE GEORGE MASIH)**  
**JUDGE**

**Whether speaking/reasoned: Yes/No**

**Whether Reportable: Yes/No**