

**218-2 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M-5157-2018
Date of decision : 06.04.2018**

Daljit Singh

.....Petitioner(s)

versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ankush Thakral, Advocate for
Mr. B.S. Jaswal, Advocate
for the petitioners.

Mr. K.S. Aulakh, DAG, Punjab.

None for respondent No.2/complainant.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of Cross case bearing Rapat No.22 dated 12.01.2018 under Sections 323, 342 and 498-A of IPC registered at Police Station Fatehgarh Panjtoor, District Moga in case bearing FIR No.2 dated 12.01.2018 registered under Sections 452, 323, 506, 336, 148, 149 of IPC and Sections 25, 27 and 54 of Arms Act and all the consequent proceedings arising out of the same, on the basis of compromise arrived at between the parties.

Report has been received from the trial Court after statements of the parties were recorded regarding the compromise. The trial Court has reported that the compromise is genuine, voluntarily and out of free will and without any pressure, greed or coercion. The trial Court has also sent copies of the statements of parties in original.

Learned counsel for the State on instructions submits that petitioner is the only accused and respondent No.2 is the only aggrieved person in this FIR.

No useful purpose would be served to keep the FIR pending.

In view of the statements and report of the trial Court and the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, approved by Hon'ble Apex Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, the instant petition is allowed and the aforesaid Cross case bearing Rapat No.22 dated 12.01.2018 under Sections 323, 342 and 498-A of IPC registered at Police Station Fatehgarh Panjtoor, District Moga and all consequent proceedings conducted on the basis thereof are quashed *qua* the petitioners.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

(ANITA CHAUDHRY)
JUDGE

06.04.2018

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No