

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(1) CRM-M-8796-2017

Jatinder Singh and others ...Petitioners

Versus

State of Punjab and others ..Respondents

(2) CRM-M-8676-2017

Jagtar Singh and othersPetitioners

Versus

State of Punjab and others ..Respondents

Date of decision: - 11.01.2018

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. S.P.S. Chakkal, Advocate for the petitioners
in 1st case and for respondent Nos.2 and 3 in 2nd case.

Mr. Harbir Sandhu, AAG, Punjab.
for respondent No.1-State.

Mr. S.S. Sarwara, Advocate, for the petitioners
in 2nd case and for respondents No.2 and 3 in 1st case.

MAHABIR SINGH SINDHU, J. (ORAL)

As identical questions of law and facts are involved,
therefore, I propose to decide above indicated 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 Jagtar Singh son of Naib 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.95 dated 13.06.2016, under Sections 452, 323, 148 and 149 IPC, registered at Police Station Morinda, District Rupnagar.

3. Likewise, in pursuance of separate statement of complainant Jatinder Singh son of Lakhbir Singh-respondent No.2 (for short 'the complainant in 2nd case'), a criminal cross-case was also registered against petitioners-accused (in 2nd case), vide General Diary No.27 dated 13.06.2016, under Sections 323, 324 and 34 IPC recorded in above-said FIR No.95 dated 13.06.2016.

4. Heard.

5. Both the parties were directed by this Court, vide orders dated 15.03.2017 to appear before the learned trial Court/Illaq Magistrate and get their statements recorded and in pursuance thereof, learned Additional Chief Judicial Magistrate, Rupnagar, recorded the statements of both the parties and submitted a report dated 23.08.2017. A perusal of the report reveals that the compromise entered into between the parties is with their own sweet will, without any inducement and coercion.

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. Moreover, learned counsel for the parties are *ad idem* that, in view of the settlement of disputes between the parties, the present petitions deserve to be accepted in this context.

7. In view of above, the impugned FIR No.95 dated 13.06.2016, under Sections 452, 323, 148 and 149 IPC and cross-version registered vide General Diary No.27 dated 13.06.2016, at Police Station Morinda, District Rupnagar and all consequent proceedings resulting therefrom are hereby quashed.

8. Petitions are allowed.

(MAHABIR SINGH SINDHU)
JUDGE

January 11, 2018
naresh.k

Whether reportable?	No
Whether reasoned/speaking?	No