

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

**CRM-M No.6670 of 2018 (O&M)
Date of Decision: 14.11.2018**

Manpreet Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Prashant Bansal, Advocate for
Mr. Sandeep Sharma, Advocate for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab
for respondent No.1/State.

Mr. J.S.Khattar, Advocate for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition has been filed praying for quashing of DDR No.023 dated 14.04.2017 (**Annexure P-1**), under Sections 323, 324, 341, 34 of the Indian Penal Code, registered at Police Station Sultanwind, Police Commissionerate Amritsar, District Amritsar along with all consequential proceedings arising therefrom on the basis of compromise dated 17.08.2017 (**Annexure P-2**) entered into between the parties i.e. petitioners as well as respondent No.2.

It has been pointed out by learned Counsel for the parties that main version i.e. FIR No.78 dated 13.04.2017, under Sections 324, 506, 34, IPC, registered at Police Station Sultanwind, Police Commissionerate Amritsar, District Amritsar along with all consequential proceedings stands quashed by this Court in CRM-M-6752-2018 on 20.09.2018.

This Court, on 19.02.2018, passed the following order:-

“ Learned counsel for the petitioners contends that in case of main version arising out of FIR No.0078 dated 13.04.2017 registered under Sections 324, 506, 34 IPC at Police Station Sultanwind, Police Commissionerate Amritsar, District Amritsar on the basis of compromise, notice of motion was issued for 05.04.2018 and parties were directed to appear before the trial Court/Illaqa Magistrate on 26.02.2018.

Notice of motion for 05.04.2018.

Mr. J.S. Khattar, Advocate appears on behalf of respondent No.2.

In the meanwhile, parties are directed to appear before the trial Court/Illaqa Magistrate on 26.02.2018 and the trial Court/Illaqa Magistrate, after recording their statements, shall submit its report with regard to genuineness of the compromise viz-a-viz. number of accused persons involved in this case and whether any of the accused has been declared proclaimed offender or not, on or before the adjourned date.

To be heard along with CRM-M No.6752 of 2018. ”

In terms of above order, learned Judicial Magistrate 1st Class, Amritsar submitted a report dated 18.09.2018. The operative part of the same reads as under:-

“ From the statement of above said parties I am of the considered view that compromise is genuine, voluntarily and without any coercion or undue influence. ”

A perusal of the aforesaid report clearly reveals that the matter has been compromised by both the parties with their free consent, voluntarily and without any coercion or undue influence.

Learned State Counsel, on instructions from the police official present in the Court, has acknowledged the above fact and further stated that he

has no objection in case the present DDR as well as all other consequential proceedings are quashed on the basis of the compromise effected between the parties. Even before this Court also, there is no objection by either of the parties in case the present DDR is quashed.

In view of above, this Court is fully convinced that the offences are entirely personal in nature and do not affect any public peace or tranquillity and thus quashing of DDR in question along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice. Consequently, the present petition is allowed and the aforesaid DDR along with all consequential proceedings resulting therefrom are quashed qua the petitioners.

November 14, 2018

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**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking/reasoned	Yes
<i>Whether Reportable</i>	<i>No</i>