

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

1. CRM-M-7221 of 2018
Date of decision: 19.09.2018

Satnam Singh

.. Petitioner

Versus

State of Punjab and another

.. Respondents

2. CRM-M-7914 of 2018

Hardeep Singh and others

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Gaurav Kalsi, Advocate
for the petitioner in CRM-M-7221-2018 and
for respondent no. 2 in CRM-M-7914-2018.

Mr. H.S. Bath, Advocate
for petitioners in CRM-M-7914-2018
for respondent no. 2 in CRM-M-7221-2018.

Mr. Sandeep Kumar, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

Satnam Singh, petitioner in CRM-M-7221-2018, is seeking quashing of FIR No. 102 dated 05.09.2008, registered for offences punishable under Sections 323/336/356/506/148/149 of Indian Penal Code (for short 'IPC') at Police Station Sarhali, District Tarn Taran while Hardeep Singh and others, petitioners in CRM-M-7914-2018, are seeking quashing of Criminal Complaint original No. 478 dated 08.10.2008 and new No. 36 dated 26.07.2011 titled "*Satnam Singh vs. Hardeep Singh and others*" pending in the Court of Judicial Magistrate, Ist Class, Tarn Taran, wherein accused have been summoned for offences punishable under Sections

arising therefrom, on the basis of the compromise.

As per case of the prosecution, the occurrence took place on 03.09.2008. Complainant-Hardeep Singh has alleged that he was waylaid by Satnam Singh, petitioner in CRM-M-7221-2018, who caused injuries on his person. On his statement FIR No. 102 dated 05.09.2008 was registered at Police Station Sarhali, District Tarn Taran.

In complaint filed by Satnam Singh, he has also levelled allegations that Hardeep Singh and others, petitioners in CRM-M-7914-2018, had caused him injuries in that incident.

Learned counsel for parties submit that the matter has since been settled vide compromise, copy of which has been placed on files of both the petitions and have no objection if impugned FIR and complaint case are quashed in view of that compromise.

Learned State counsel has also not disputed compromise between the parties.

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 09.04.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any pressure or influence.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR and complaint case should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere

which is not only in the interest of the parties but also for their families and ultimately the society at large.

For the reasons as discussed above, the instant petitions are allowed and impugned FIR No. 102 dated 05.09.2018, registered at Police Station Sarhali, District Tarn Taran and Criminal Complaint original No. 478 dated 08.10.2008 and new No. 36 dated 26.07.2011 titled "*Satnam Singh vs. Hardeep Singh and others*" pending in Court of Judicial Magistrate, Ist Class, Tarn Taran along with all consequential proceedings arising therefrom, qua petitioners in both the petitions, are quashed.

September 19, 2018

jk

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No