

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

(1)

Crl. Misc. No. M-7314 of 2019(O&M)

Date of decision: July 30, 2019

Arshdeep Singh and others

..... PETITIONER(s)

Versus

State of Punjab and others

....RESPONDENT(s)

(2)

Crl. Misc. No.M-7226 of 2019 (O&M)

Nishan Singh and others

..... PETITIONER(s)

Versus

State of Punjab and another

....RESPONDENT(s)

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: None for the parties.

ASI Vaishno Dass, Police Station Dhariwal,
District Gurdaspur.

SURINDER GUPTA, J(Oral)

This order will dispose of both the aforementioned petitions filed under Section 482 of the Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.74 dated 21.07.2018 registered at Police Station Dhariwal, District Gurdaspur for the offence punishable under Sections 323, 324, 326 read with Section 34 of Indian Penal Code (for short- IPC) and DDR No.47 dated 21.07.2018 recorded in the above referred FIR,

along with all consequential proceedings arising therefrom, on the basis of compromise dated 31.01.2019 (Annexure P-3).

Above referred FIR and DDR are result of a fight between the parties on account of irrigation of their fields. In the occurrence, persons from both the sides suffered simple as well as grievous injuries caused with sharp edged weapons.

The matter has since been settled vide compromise, copy of which has been placed on file as Annexure P-3.

ASI Vaishno Dass of Police Station Dhariwal, who is present in Court, submits that the compromise (Annexure P-3) has been effected 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 03.05.2019 in both the petitions, 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 coercion in any manner.

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 DDR should be quashed. Keeping the cases pending will not serve the ends of justice. The quashing of the FIR and DDR will provide the parties to these petitions 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, both the aforementioned

petitions are allowed. Impugned FIR No.74 dated 21.07.2018 registered at

Police Station Dhariwal, District Gurdaspur for the offence punishable under Sections 323, 324, 326 read with Section 34 IPC and DDR No.47 dated 21.07.2018 recorded in the above referred FIR, along with all consequential proceedings arising therefrom, qua petitioners, are quashed.

July 30, 2019
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No