

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

(1)

**Crl. Misc. No. M-45147 of 2018(O&M)
Date of decision: August 20, 2019**

Lala @ Surinder and others

..... PETITIONERS

Versus

U.T. of Chandigarh and others

....RESPONDENTS

(2)

Crl. Misc. No. M-45231 of 2018(O&M)

Rahul and others

..... PETITIONERS

Versus

U.T. of Chandigarh and others

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. S.S.Sarwara, Advocate
for the petitioners in CRM No. M-45147 of 2018 and
for respondents No. 2 to 4 in CRM No. M-45231 of 2018.

Mr. S.P.S.Chakkal, Advocate
for the petitioners in CRM No. M-45231 of 2018 and
for respondents No. 2 to 6 in CRM No. M-45147 of 2018.

Mr. Sumit Jain, Advocate
for U.T., Chandigarh.

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.').

FIR No. 271 dated 08.09.2018 for the offences under Sections

147, 323, 307, 506 read with Section 149 IPC was registered at Police Station Industrial Area, District Chandigarh on the statement of Sunil (petitioner No.4 in CRM-M No. 45147-2018). Another FIR No. 272 dated 08.09.2018 was registered at Police Station Industrial Area, District Chandigarh for the offences punishable under Sections 147, 323, 307, 452, 506 read with Section 149 of Indian Penal Code (for short 'IPC') on the statement of Rakesh (petitioner No.3 in CRM-M-45231-2018). Both the parties have sought relief of quashing of FIRs on the basis of compromise (Annexure P-3).

I have heard learned counsel for the parties and perused the case files.

In FIR No. 271 dated 08.09.2018, complainant Sunil son of Joginder Yadav, has alleged that he was caused injuries by petitioners with Chappar/long knife on his head. Accused also caused injuries to another person Kaka.

In FIR No. 272 dated 08.09.2018, complainant Rakesh son of Mam Chand has leveled allegations that accused named in FIR came to his house armed with iron rod etc. and caused injuries.

Learned State counsel on instructions from ASI Karan Singh submits that though offence under Section 307 IPC has also been incorporated in the FIR but no injury on the person of either of the injured was declared as dangerous to life.

Learned counsel for the private parties submits that both the parties are related to each other and the dispute between them has since been amicably settled with the intervention of relatives vide compromise dated

24.09.2018 (Annexure P-3) as such both the FIRs, which are cross cases, along with consequential proceedings be quashed.

As per direction of this Court, in both FIRs i.e. Complainant/victim and accused appeared before the trial court and got their statements recorded. The trial court has sent its report dated 03.01.2019 in CRM-M-45147-2018 and dated 14.03.2019 in CRM-M-45231-2018 stating therein that compromise effected between the parties 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 FIRs should be quashed. Keeping the cases pending will not serve the ends of justice. The quashing of the FIRs 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, both the aforementioned petitions are allowed and FIR No. 271 and FIR No. 272 dated 08.09.2018 registered at Police Station Industrial Area, District Chandigarh along with all consequential proceedings arising therefrom are quashed.

August 20, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No