

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

(1) CRM-M No.7445 of 2013 (O&M)

Jagdish Kumar and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

(2) CRM-M No.9828 of 2013 (O&M)

Raj Kumar Malhotra

.....Petitioner

Versus

State of Punjab and another

.....Respondents

(3) CRM-M No.13736 of 2019 (O&M)

Jagdish Kumar and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

Date of Decision: 20.08.2019

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Vishal Aggarwal, Advocate for the petitioner(s)
(in CRM-M Nos.7445 & 9828 of 2013).

Mr. Rahul Jaswal, Advocate for
Mr. Gagan Oberoi, Advocate for the petitioners
(in CRM-M-13736-2019).

Mr. Harpreet Singh Multani, AAG, Punjab.

Mr. Namit Gautam, Advocate
for respondent No.2 (in CRM-M-9828-2013) and
for respondent No.3 (in CRM-M-13736-2019).

MAHABIR SINGH SINDHU, J. (Oral)

This order shall dispose off the aforementioned three petitions as common facts are involved therein.

Present petitions have been filed under Section 482 Cr.P.C. praying for quashing of FIR No.99 dated 03.12.2011, under Sections 448, 34 of the Indian Penal Code, 1860, registered at Police Station PAU, Ludhiana, District Ludhiana along with all consequential proceedings arising therefrom on the basis of compromise dated 14.02.2019.

This Court, on 11.07.2019, passed the following order:-

“ Respondent No.2-Complainant, namely Devinder Kumar Pasricha is present in Court along with his counsel.

Let the statements of respondent No.2-complainant be recorded before the Mediation and Conciliation Centre of this Court, today itself, i.e. on 11.07.2019 and the report be submitted today itself only.

Post it after lunch.

A photocopy of this order be placed on the other connected case files.”

On 12.07.2019, the following order has been passed by this Court:-

“ It is stated by learned counsel for the petitioner that petitioner No.2-Joginder Pal is no more alive. Jagdish Kumar and Raj Kumar Malhotra (petitioners in the connected matter) who are present in the Court, states that the matter has been amicably settled between the parties and the statement of the complainant was recorded on 11.07.2019 in this case to the said effect.

In view of the above, statement of both the petitioners namely, Jagdish Kumar and Raj Kumar Malhotra be recorded before the Mediation and Conciliation Centre of this Court, today itself, i.e. On 12.07.2019.

For awaiting the report, adjourned to 19.07.2019.

*A photocopy of this order be placed on the files of other
connected cases.”*

At the time of hearing, both sides have acknowledged that matter has been compromised between them. Statements of parties have been recorded before Mediation & Conciliation Centre of this Court and report has also been received, which shows that the matter has been compromised by both sides with their free consent, voluntarily and without any coercion or undue influence.

Learned State Counsel, on instructions, has acknowledged the above fact and further stated that he has no objection in case the present FIR along with all consequential proceedings arising therefrom are quashed on the basis of the compromise effected between the parties.

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 FIR 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 petitions are allowed and the aforesaid FIR along with all consequential proceedings resulting therefrom are quashed qua the petitioner(s).

August 20, 2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

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