

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

1. CRM-M-32289-2019 (O&M)
Date of decision : 18.11.2019

Paramjeet Kaur and others ...Petitioners

Versus

State of Punjab and others ...Respondents

2. CRM-M-32298-2019 (O&M)
Date of decision : 18.11.2019

Kaka Singh @ Sandeep Singh and others ...Petitioners

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. S.S. Sodhi, Advocate
for the petitioners (In CRM-M-32289-2019)
for private respondents (In CRM-M-32298-2019)

Mr. P.S. Mirpur, Advocate
for the petitioners (In CRM-M-32298-2019)
for private respondents (In CRM-M-32289-2019)

Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab
alongwith ASI Jaswinder Singh.

ANIL KSHETARPAL, J. (ORAL)

By this order, two petitions bearing CRM-M-32289-2019 and
CRM-M-32298-2019, shall stand disposed of.

Petitioners in CRM-M-32289-2019 have approached this Court
by way of instant petition under Section 482 of the Code of Criminal
Procedure (for short 'Cr.P.C.') invoking its inherent jurisdiction for quashing
of criminal proceedings i.e. cross-case registered vide DDR No.023 dated

09.07.2016 under Sections 452/324/323/148/149 of IPC at Police Station Sangat, District Bathinda, and the consequential proceedings arising therefrom, on the basis of compromise.

Petitioners in CRM-M-32298-2019 have approached this Court by way of instant petition under Section 482 of Cr.P.C invoking its inherent jurisdiction for quashing of FIR No.0074 dated 08.07.2016 registered under Sections 307/325/323/148/149 of IPC at Police Station Sangat, District Bathinda, and the consequential proceedings arising therefrom, on the basis of compromise.

Notice of motion was issued.

In compliance of the order dated 26.08.2019 passed by this Court, both the parties are present in the Court, duly identified by their respective counsels except Gurwinder Singh son of Major Singh-respondent No.8 in CRM-M-32298-2019 and petitioner No.7 in CRM-M-32289-2019. They have filed their respective affidavits in the Court today and admit the correctness of the compromise as also settlement arrived at between the parties.

Learned counsel for the State also does not have any objection. However, he, as per instructions from ASI Jaswinder Singh, has submitted that offence under Section 307 IPC stands deleted.

After hearing the learned counsel for the parties and after going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at an out of Court settlement by way of compromise. The

compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

For the aforesaid view, this Court finds support from **Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, approved by Hon'ble Apex Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**,

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, cross-case registered vide DDR No.023 dated 09.07.2016 under Sections 452/324/323/148/149 of IPC (In CRM-M-32289-2019) and FIR No.0074 dated 08.07.2016 registered under Sections 307/325/323/148/149 of IPC (In CRM-M-32298-2019), at Police Station Sangat, District Bathinda and the consequential proceedings arising therefrom, are ordered to be quashed, on the basis of compromise, however, qua the petitioners only.

Resultantly, with the above-said observations made, both the petitions stand allowed.

18.11.2019

Pawan

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned:- **Yes/No**

Whether reportable:- **Yes/No**