

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

CRM-M-44314-2019

Date of Decision:08.11.2019

Gajjan Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondent(s)

CRM-M-44481-2019

Fateh Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Ankit Kharbanda, Advocate for the petitioners in CRM-M-44314-2019 and for private respondents in CRM-M-44481-2019.

Mr.SPS Tinna, Addl. Advocate General, Punjab.

Mr.Sumeet Singh Arora, Advocate for the petitioners in CRM-M-44481-2019 and for the private respondents in CRM-M-44314-2019

ANIL KSHETARPAL, J.

This order shall dispose of two petitions bearing numbers CRM-M-44314-2019 and CRM-M-44481-2019 arising out of impugned FIR and its cross-version case/DDR.

Petitioners have approached this Court by way of petitions under Section 482 of the Code of Criminal Procedure invoking its inherent jurisdiction for quashing of FIR No.0087 dated 09.05.2017 registered under

Sections 452/324/323/427/148/149 of the Indian Penal Code (Section 326

IPC added later on) and its cross version case i.e. DDR No.009 dated 10.05.2017 as well as the consequential proceedings arising therefrom, on the basis of compromise.

In compliance of the order dated 18.10.2019 passed by this Court, parties are present in the Court. They are identified by their respective counsel. The petitioners as well as private respondents have tendered their affidavits, admitting that the compromise arrived at between them is genuine, voluntary and without any coercion or undue influence.

Learned counsels appearing on behalf of both the parties admit that parties have settled their disputes.

After hearing the learned counsel for the parties and going through record of the case, this Court is of the considered opinion that these are fit cases 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 the Court settlement by way of compromise (Annexure P-2). 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**, upheld 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, FIR No.0087 dated 09.05.2017 registered under Sections 452/324/323/427/148/149 of the Indian Penal Code (Section 326 IPC added later on) and its cross version case i.e. DDR No.009 dated 10.05.2017 as well as consequential proceedings arising therefrom are ordered to be quashed, however, qua the petitioners only, on the basis of compromise.

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

08.11.2019
mks

(ANIL KSHETARPAL)
JUDGE

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