

CRM-M-19910-2019

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.251

CRM-M-19910-2019

Date of Decision: 08.01.2020

RAJVIR SINGH @ NIKKA AND OTHERSPetitioners
VS
STATE OF PUNJAB AND OTHERSRespondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Amit Shukla, Advocate
for the petitioners.

Mr. N.K. Banka, D.A.G., Punjab.

Mr. Vinod Kumar, Advocate
for respondents No.2 and 3.

ARCHANA PURI, J. (ORAL)

Present Petition has been filed by the petitioners for seeking quashing of the FIR bearing No. 176 dated 17.09.2017 registered under Sections 148, 149, 307, 323, 325 IPC, at Police Station Division No.8, District Jalandhar, along with all consequential criminal proceedings arising therefrom on the basis of compromise dated 27.04.2018 arrived at between the parties concerned. In pursuance of the order dated 03.05.2019, the parties had made appearance before Illaqa Magistrate and therefore the statements of concerned parties vis-a-vis regular compromise had been recorded by the concerned Presiding officer. The copies of the statements so recorded qua the regular compromise have been annexed with the reports furnished by learned Additional Sessions Judge, wherein it has been stated by the parties concerned as well as report of the learned Additional Sessions Judge, compromise has been effected between the parties with the intervention of the respectables of the society and elders. They are residents of one village and now they will live in peace and harmony in village. Besides the same, it has

also been mentioned that there is no criminal case pending against Sonu. Further, qua accused-Rajvir Singh @ Nikka, there are two criminal cases, one under Narcotic Drugs and Psychotropic Substances Act and another under Section 363, 366 IPC. Further, as now stated by the counsel for the petitioners that there is no concern of the rival party qua the aforesaid cases, so pending against Rajvir Singh @ Nikka. From the report so received from the learned Additional Sessions Judge and from perusal of the record, it reveals that there was cross-case filed on the basis of same compromise dated 27.04.2019. The proceedings qua the cross-case, the FIR bearing No.166 dated 17.09.2017 under Sections 452, 323, 324, 326, 307 read with Section 34 IPC, registered at Police Station Division No.3, Jalandhar, have already been quashed vide order dated 14.09.2018.

Keeping in view the aforesaid facts of the case and also considering the statements so made by the concerned parties, vis-a-vis the present petition which appears to have been made voluntarily without any undue inference and in view of the report so received from the learned Additional Sessions Judge, the petition is allowed and FIR bearing No. 176 dated 17.09.2017 registered under Sections 148, 149, 307, 323, 325 IPC, at Police Station Division No.8, District Jalandhar and all subsequent proceedings arising therefrom are hereby quashed.

(ARCHANA PURI)
JUDGE

January 08, 2020.

Himanshu

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No