

113 (02 Cases)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision : 11.09.2020

[1] CRM-M-26155-2020

Waryam Singh and others ...Petitioners

Versus

State of Punjab and anotherRespondents

[2] CRM-M No.26453 of 2020

Kashmir Singh and others ...Petitioners

Versus

State of Punjab and anotherRespondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Joginderpal Devgan, Advocate for the petitioners
in CRM-M No.26155 of 2020.

Mr. Amit Thakur, Advocate for the petitioners
in CRM-M No.26453 of 2020.

B.S. Walia, J. (VC)

1. Cases are being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.

2. This order shall decide CRM-M No.26155 of 2020 titled as 'Waryam Singh and others versus State of Punjab and another', as also CRM-M No.26453 of 2020 titled as 'Kashmir Singh and others versus State of Punjab and another'.

3. Notice of motion.

4. On the asking of the Court, Mr. Saurav Khurana, learned

while Mr. Amit Thakur, Advocate, accepts notice on behalf of respondent No.2-complainant in CRM-M No.26155 of 2020 and Mr. Joginderpal Devgan, Advocate, accepts notice on behalf of respondent No.2 in CRM-M No.26453 of 2020.

5. Prayer in the petition (i.e. CRM-M No.26155 of 2020) under Section 482 Cr.P.C. is for quashing of FIR No.0139 dated 22.08.2019 registered under Sections 323, 326, 34 and 506 IPC at Police Station City Patti, District Tarn Taran and all subsequent proceedings arising thereto on the basis of Panchayati compromise, as well as affidavit dated 10.07.2020 i.e. Annexures P-2 & P-3, duly signed by respondent No.2.

6. Learned counsel contends that FIR No.0139 dated 22.08.2019 for the offences under Sections 323, 326, 34, 506 IPC was registered at Police Station City Patti, Tarn Taran against the petitioners on the basis of complaint made by respondent No.2 but now with the intervention of respectable members of society and relatives, the matter had been settled vide compromise dated 10.07.2020 between the petitioners and other aggrieved person i.e. respondent No.2 and Panchayati compromise i.e. Annexures P-2, besides affidavit i.e. Annexures P-3 dated 10.07.2020 to above effect duly signed by respondent No.2. Likewise GDR No.030 dated 24.08.2019 registered under Sections 323, 326, 34 and 506 IPC at Police Station City Patti, District Tarn Taran had also been amicably settled with the intervention of respectable members of society and relatives and the matter had been compromised between the petitioners and other aggrieved persons on the basis of compromise as well as affidavit dated 10.07.2020, duly signed by respondent No.2 (Annexures P-2 & P-3).

7. Learned State Counsel, on instructions from *ASI Davinder Singh* informs the Court that apart from the aforementioned cases, there is no other case between the parties. No P.O. proceedings are pending, besides no challan has been presented, till date. He further states that he has no objection, if FIR No.0139 dated 22.08.2019 registered for the offences under Sections 323, 326, 34 & 506 IPC and GDR No.030 dated 24.08.2019 registered for the offences under Sections 323, 326, 34 and 506 IPC both at Police Station City Patti, District Tarn Taran and all consequential proceedings arising therefrom are quashed.

8. Accordingly, in view of the decision of Hon'ble the Supreme Court in '**Madan Mohan Abbot** versus **State of Punjab**', 2008(2) RCR (Crl.) 429 as well as the law laid down by this Court in '**Kulwinder Singh and others** versus **State of Punjab and others**' 2007(3) RCR (Crl.) 1052, there is no impediment in the way of the Court to exercise its inherent powers under Section 482 Cr.P.C. for quashing of the said FIR, as also GDR in the interest of justice as no useful purpose would be served by prolonging the litigation.

9. Accordingly, FIR No.0139 dated 22.08.2019 registered under Sections 323, 326, 34 and 506 IPC and GDR No.030 dated 24.08.2019 registered under Sections Sections 323, 326, 34 and 506 IPC both at Police Station City Patti, District Tarn Taran and all other subsequent proceedings arising therefrom *qua* petitioners are quashed on the basis of Panchayati compromise, as well as affidavit dated 10.07.2020 i.e. Annexures P-2 & P-3 in CRM-M No.26155 of 2020 and compromise dated 20.07.2020 (Annexure

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10. CRM-M No.26155 of 2020 and CRM-M No.26453 of 2020
stand *disposed of* in the aforementioned terms.

September 11, 2020

'Rajneesh-Amit'

(B.S. Walia)

Judge

Whether speaking/ reasoned

:

Yes/No

Whether reportable

:

Yes/No