

114 (02 Cases)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision : 11.09.2020

[1] CRM-M No.26887 of 2020

Harkamal Singh and others ...Petitioners

Versus

State of Punjab and othersRespondents

[2] CRM-M-26800-2020

Sunny Khippal and others ...Petitioners

Versus

State of Punjab and othersRespondents

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

Present : Mr. Aman Dhir, Advocate for the petitioners
in CRM-M No.26887 of 2020.

Mr. Briz Mohan, Advocate for the petitioners
in CRM-M No.26800 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.26800 of 2020 titled as 'Sunny Khippal and others versus State of Punjab and others', as also CRM-M No.26887 of 2020 titled as 'Harkamal Singh and others versus State of Punjab and others'.

3. Notice of motion.

4. On the asking of the Court, Mr. Saurav Khurana, learned DAG, Punjab, accepts notice on behalf of respondent No.1 (in both the cases), while Mr. Aman Dhir, Advocate, accepts notice on behalf of respondent Nos.2 to 4 in CRM-M No.26800 of 2020, and Mr. Briz Mohan, Advocate, accepts notice on behalf of respondent Nos.2 & 3 in CRM-M No.26887 of 2020.

5. Mr. Aman Dhir, Advocate for the petitioners in CRM-M No.26887 of 2020 contends that FIR No.53 dated 04.03.2019 was registered for the offences under Sections 323, 324, 506 and 34 IPC at Police Station City Muktsar, District Sri Muktsar Sahib on the statement of Dolly Rani i.e. respondent No.2 in CRM-M No.26887 of 2020 against the petitioners, whereas by way of DDR No.52 dated 04.03.2019, a cross-case was registered against the petitioners in CRM-M No.26800 of 2020 for the offences under Sections 341, 323, 506 and 149 IPC at Police Station City Muktsar, District Sri Muktsar Sahib on the basis of the statement of Harkamal Singh i.e. respondent No.2 in CRM-M No.26800 of 2020 but now with the intervention of Panchayat and respectable members of society, a compromise had been effected between the parties in both the cases and on the basis of compromise (Annexure P-3) in CRM-M No.26887 of 2020 and likewise Annexure P-3 in CRM-M NO.26800 of 2020, the petitioner-husband and respondent-wife are staying together.

6. Learned State Counsel, on instructions from HC Kewal 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

CRM-M No.26887 of 2020 and
CRM-M-26800-2020

[2]

objection, if the FIR in question in CRM-M No.26887 of 2020 and DDR in question in CRM-M No.26800 of 2020 and all consequential proceedings arising therefrom are ***quashed***.

7. In view of compromise having been effected amongst the parties vide compromise deed (Annexure P-3) in both the cases, and parties have decided to seek quashing of the FIR and DDR in question, therefore 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 this Court to exercise its inherent powers under Section 482 Cr.P.C. for quashing of the said FIR, as also DDR in the interest of justice as no useful purpose would be served by prolonging the litigation.

8. Accordingly, FIR No.53 dated 04.03.2019 for the offences under Sections 323, 324, 506 and 34 IPC and DDR No.52 dated 04.03.2019 for the offences under Sections 341, 323, 506 and 149 IPC both registered at Police Station City Muktsar, District Sri Muktsar Sahib and all other subsequent proceedings arising therefrom *qua* petitioners in the respective cases are quashed on the basis of the compromise.

9. CRM-M No.26887 of 2020 and CRM-M No.26800 of 2020 stand ***disposed of*** in the aforementioned terms.

(B.S. Walia)
Judge

September 11, 2020

'Rajneesh-Amit'

Whether speaking/ reasoned	:	Yes/No
Whether reportable	:	Yes/No