

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

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CRM-M-29380-2020

DATE OF DECISION: 19.11.2020

DAVINDER SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB AND ANR.

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Gurmit Singh Saini, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking quashing of FIR No.67 dated 08.06.2017 under Sections 323, 324 IPC (Sections 325 and 326 IPC added later on), registered at Police Station, Kulgari, District Ferozepur on the basis of compromise which has been arrived at between the parties.

Learned counsel for the petitioner contends that the FIR is the outcome of a sudden quarrel between brothers. The injury for which offence under Section 326 IPC has been invoked is on the arm. The matter has been compromised and there has been no untoward incident after the occurrence which took place about 03 years ago.

This Court vide order dated 24.09.2020 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements and send a report as to whether the compromise has been arrived at without

any coercion or undue influence. The report of the Judicial Magistrate Ist Class, Ferozepur dated 10.11.2020 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded which indicates that compromise which has been effected is genuine, voluntary and without undue influence.

The FIR is an outcome of a sudden quarrel between brothers and the matter has been compromised.

In view of the law laid down by the Supreme Court in the case of Narinder Singh vs. State of Punjab 2014 (6) SCC 466, no useful purpose will be served by continuing the criminal proceedings. It would, thus, be in the interest of justice to quash the FIR No.67 dated 08.06.2017 under Sections 323, 324 IPC (Sections 325 and 326 IPC added later on), registered at Police Station, Kulgari, District Ferozepur and all consequential proceedings are hereby quashed qua the petitioners.

(ANUPINDER SINGH GREWAL)
JUDGE

19.11.2020

SwarnjitS

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No