

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

CRM-M No. 50591 of 2019 (O&M)
Date of decision: 23.11.2020.

Lakhvinder Singh and others Petitioners.

Versus

State of Punjab and another Respondents.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Arshvir Singh Sandhu, Advocate, for the petitioners.

Mr. Dhruv Dayal, Senior DAG, Punjab, for respondent No. 1.

Mr. Sumeet Pal Singh Khaira, Advocate, for respondent No. 2.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioners are seeking quashing of DDR No. 24 dated 29.04.2017, under Sections 341, 323, 147, 148 and 149 of the Indian Penal Code, 1860 ('IPC' - for short) in case FIR No. 0024 dated 28.04.2017, under Section 336 IPC and Section 27 of the Arms Act, 1959, registered at Police Station Bassi Pathana, District Fatehgarh Sahib, on the basis of compromise arrived at between the parties.

Learned counsel for the petitioners contends that the FIR is the outcome of a sudden quarrel between the parties in which the parties had received injuries. The matter has been compromised.

Learned counsel for respondent No. 2 states that the matter has indeed been compromised.

A Coordinate Bench of this Court by order dated 29.11.2019 had directed the parties to appear before the trial Court/Illaq Magistrate 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 Chief Judicial Magistrate, Fatehgarh Sahib, dated 08.01.2020, 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 the outcome of a sudden quarrel between the parties which has now been resolved 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 and the consequential proceedings arising therefrom qua the petitioners.

Therefore, the petition is allowed and DDR No.24 dated 29.04.2017, under Sections 341, 323, 147, 148 and 149 of the Indian Penal Code, 1860 ('IPC' - for short) in case FIR No. 0024 dated 28.04.2017, under Section 336 IPC and Section 27 of the Arms Act, 1959, registered at Police Station Bassi Pathana, District Fatehgarh Sahib, and all consequential proceedings are hereby quashed qua the petitioners.

Pending application, if any, shall stand disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

23.11.2020
Ramesh

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