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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27962-2021

Date of Decision:17.11.2021

Inderpal Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CRM-M-27964-2021

Harpreet Singh and others

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Vinod Kumar Kaushal, Advocate,
for the petitioner in CRM-M-27962-2021
and for the complainant in CRM-M-27964-2021.

Mr. Raman Kumar, Advocate for
Mr. Naveen Batra, Advocate
for the petitioners in CRM-M-27964-2021 and
for the complainant in CRM-M-27962-2021

Mr. Tanvir Joshi, AAG, Punjab.

[The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court.]

SANT PARKASH, J.

This order shall dispose of both the above-mentioned petitions bearing numbers CRM-M-27962-2021 and CRM-M-27964-2021 arising out of impugned FIR and its cross-version case/DDR.

Petitioners have approached this Court by way of petitions under Section 482 of the Code of Criminal Procedure invoking its inherent jurisdiction for quashing of FIR No.162 dated 19.11.2020 registered under

Sections 341/323/506/427/34 IPC and its cross version case, i.e. DDR No.22 dated 21.12.2020 at Police Station Haryana, District Hoshiarpur as well as the consequential proceedings arising therefrom, on the basis of compromise (P-2).

Succinctly, an altercation took place between both the parties and suffered injuries. Consequently, FIR No.162 dated 19.11.2020 and a cross case bearing DDR No.22 dated 21.12.2020 were registered. Now, with the intervention of the respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

Keeping in view the fact that the parties have entered into a compromise, this Court vide orders dated 22.07.2021 had directed the parties to appear before the trial court/Illaq Magistrate for getting their statements recorded in support of the compromise. In pursuance of the aforesaid orders, a report has been received from Judicial Magistrate 1st Class, Hoshiarpur at Flag-A stating therein that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine.

Learned State counsel and learned counsel appearing for the complainant admit the factum of compromise and submit that they have no objection to the quashing of the FIR.

I have heard learned counsel for the parties and have gone through the record.

After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the

chances of ultimate conviction are bleak.

Consequently, keeping in view the fact that the dispute has been amicably settled between the parties and in view of the law laid down by the Hon'ble Supreme Court in *Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466*, both the petitions are allowed. Resultantly, FIR No.162 dated 19.11.2020 registered under Sections 341/323/506/427/34 IPC and its cross version case, i.e. DDR No.22 dated 21.12.2020 at Police Station Haryana, District Hoshiarpur as well as the consequential proceedings arising therefrom are quashed qua the petitioners.

17.11.2021
mks

(SANT PARKASH)
JUDGE

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO