

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-36840-2021 (O & M)
Date of Decision: November 30, 2021

BALWINDER SINGH AND OTHERS

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Varinder Basa, Advocate for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Yaseen Sethi, Advocate for respondents No.2 to 4.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioners are seeking quashing of FIR No.47 dated 20.05.2021, under Sections 323, 324 and 34 IPC (Section 326 IPC added later on) registered at Police Station Rangar Nangal, District Gurdaspur, on the basis of compromise dated 27.08.2021 (Annexure P-2), which has been arrived at between the parties.

Learned counsel for the petitioners contends that the FIR is outcome of a sudden altercation between the parties. The injury for which offence under Section 326 IPC has been invoked was a *datar* blow on the arm of the injured who has fully recovered from the injury. He also contends that with the intervention of the respectables, the matter has been compromised. He has referred to the copy of the compromise at Annexure P-2.

Learned counsel for respondents No.2 to 4 states that the matter has indeed been compromised.

This Court by the order dated 26.10.2021 had directed the parties to appear before the trial Court to record the statements of the parties with regard to genuineness of the compromise and send a report to this Court. The report of SDJM, Batala dated 23.11.2021 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 the compromise is genuine and without any coercion or undue influence.

The FIR is outcome of a sudden altercation between the parties, which has now been resolved and the matter has been compromised.

In view of the mandate of the Hon'ble Supreme Court in the case of *Narinder Singh and others Vs. State of Punjab and another, (2014) 6 SCC 466*, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.47 dated 20.05.2021, under Sections 323, 324 and 34 IPC (Section 326 IPC added later on) registered at Police Station Rangar Nangal, District Gurdaspur and all subsequent proceedings arising therefrom, are hereby quashed qua the petitioner(s).

(ANUPINDER SINGH GREWAL)
JUDGE

November 30, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No