

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-43425-2020

DATE OF DECISION: 08.02.2021

SUMAN AND OTHERS

... Petitioner (s)

Versus

STATE OF PUNJAB AND OTHERS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: None for the petitioners.

Mr. Dhruv Dayal, Senior DAG, Punjab.

None for respondents No.2 to 4.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioners are seeking quashing of FIR No.140 dated 28.10.2019 under Sections 452, 427, 323, 34 IPC, registered at Police Station Division No.7, Jalandhar, on the basis of compromise (Annexure P-3), which has been arrived at between the parties.

This Court on 22.12.2020 has passed the following order:

“Heard through video conferencing.

The petitioners are seeking quashing of FIR No.140 dated 28.10.2019 under Sections 452, 427, 323, 34 IPC, registered at Police Station Division No.7, Jalandhar, on the basis of compromise (Annexure P-3), which has been arrived at between the parties.

Learned counsel for the petitioners contends that the incident is outcome of a sudden altercation between the parties in which simple injuries were caused. The matter has now been compromised. He has referred to

the copy of compromise which is annexed as Annexure P-3.

Issue notice to the respondents.

At the asking of the Court, Mr. Dhruv Dayal, Senior DAG, Punjab accepts notice on behalf of respondent No.1-State. Mr. Gajinder Singh Rawat, Advocate has put in appearance on behalf of respondents No.2 to 4 and states that the matter has indeed been compromised.

List on 08.02.2021.

In the meantime, the parties are directed to appear before Illaqa Magistrate/trial Court on 08.01.2021. The Illaqa Magistrate/trial Court shall record their statements with regard to the genuineness of the compromise as to whether the compromise has been effected between the parties without any undue influence or coercion and send the report to this Court before the next date of hearing.”

Pursuant to the aforesaid order, report of the CJM, Jalandhar, dated 13.01.2021 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 compromise which has been effected is genuine, voluntary and without undue influence.

The incident is an outcome of a sudden altercation in which minor injuries were received by both the parties and the matter has now 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. Therefore, the petition is allowed and FIR No.140 dated 28.10.2019 under Sections 452, 427, 323, 34 IPC, registered at Police Station Division No.7, Jalandhar and all consequential proceedings are hereby quashed qua the petitioner(s).

(ANUPINDER SINGH GREWAL)
JUDGE

08.02.2021.

SwarnjitS

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