

CRM-M-35546-2022(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35546-2022(O&M)

Date of decision:-01.09.2023

Vikram Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.V.P. Sangwan, Advocate
for petitioners.

Mr.Anup Singh, AAG, Punjab
for respondent No.1 – State.

Mr.K.S. Derabassi, Advocate
for respondents No.2 to 5.

SUVIR SEHGAL, J.(ORAL)

CRM-24660-2023

Counsel for the applicant/petitioners submits that the application has become infructuous.

Dismissed as having been rendered infructuous.

CRM-M-35546-2022

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of cross case in FIR No.218 dated 15.11.2013, under Sections 323/341/148/149 IPC, Annexure P1 in DDR No.33 dated 15.11.2013, under Sections 323/324/148/149 IPC, registered at Police Station Sohana, District SAS Nagar, Annexure P2, along with all subsequent proceedings arising

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therefrom, on the basis of compromise dated 20.07.2022 Annexure P3, arrived at between the parties.

2. Counsel for the petitioners submits that the criminal case has been lodged as a fight took place between college going students in the heat of moment. He submits that all the accused and the complainant/injured are young boys and with the intervention of the respectables, the dispute has been amicably settled.

3. Upon instructions from ASI Surinder Singh, State counsel submits that on conclusion of investigation, a cancellation report has been filed.

4. Counsel for the complainant/respondents No.2 to 5 does not have any objection in case the prayer made in the petition is acceded to.

5. Heard counsel for the parties.

6. Pursuant to order dated 30.05.2023 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

“(i) Two persons namely Vikram Singh and Udham Singh as mentioned above are arrayed as accused in the FIR.

(ii) The accused are not declared as proclaimed offender.

(iii) The compromise is genuine, voluntary and without any coercion or undue influence.

(iv) As per the statements of the accused, the accused persons are (sic not)involved in any other FIR.”

7. In view of this development, report of the Trial Court and judgment of the Supreme Court in ***Gian Singh Versus State of Punjab***

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and another, 2012(4) RCR (Criminal) 543 and a Full Bench of this Court in *Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, this Court is of the view that keeping the criminal proceedings alive would not serve any purpose. Quashing the criminal proceedings would enable the parties, who are youngsters and at the threshold of their lives, to move on.

8. Accordingly, the petition is allowed. Cross case in FIR No.218 dated 15.11.2013, under Sections 323/341/148/149 IPC, Annexure P1 in DDR No.33 dated 15.11.2013, under Sections 323/324/148/149 IPC, registered at Police Station Sohana, District SAS Nagar, Annexure P2, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

01.09.2023
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No