

**(2013) 07 P&H CK 0814**

**High Court Of Punjab And Haryana At Chandigarh**

**Case No:** Criminal Miscellaneous No. 2687 of 2013 (O and M)

Gurpreet Singh and Another

APPELLANT

Vs

State of Punjab and Another

RESPONDENT

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**Date of Decision:** July 31, 2013

**Acts Referred:**

- Criminal Procedure Code, 1973 (CrPC) - Section 173
- Penal Code, 1860 (IPC) - Section 201, 323, 324, 34

**Hon'ble Judges:** Ritu Bahri, J

**Bench:** Single Bench

**Advocate:** A.K. Garg, for the Appellant; D.S. Virk, DAG, Punjab, for the Respondent

**Final Decision:** Disposed Off

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**Judgement**

Ritu Bahri, J.

Quashing of FIR No. 55 dated 7.11.2010 under Sections 323, 324, 34 IPC, registered at Police Station Sandaur, District Sangrur (Annexure P1) in which police report u/s 173 Cr.P.C. has been filed under Sections 323 /324 /201 /34 IPC is being sought on the basis of compromise dated 30.3.2012 (Annexure P-2). The FIR was registered on the statement made by Sukhwinder Singh alleging that on 5.11.2010, he along with Pritam Singh Malkit Singh were burning crackers at about 8 PM being Diwali. Then on that time Gurpreet Singh and Mewa Singh came there and objected them from throwing crackers towards their house. After that the complainant was attacked by Gurpreet Singh and Mewa Singh. On hearing alarm when Pritam Singh, Malkit Singh came to save him, the accused ran away from the spot.

2. During the pendency of trial, a compromise has been effected between the parties on 30.3.2012 (Annexure P2).
3. In compliance of the order dated 15.5.2013, status report dated 28.5.2013 has been filed by Judicial Magistrate, 1st Class, Malerkotla. As per this report, statement of the parties have been recorded to the effect that they have compromised the

matter and the compromise is placed on record as Annexure P-2. The complainant also stated that he has no objection if the FIR in the present case is quashed.

4. In view of the statements of the parties, the Court is satisfied that the compromise arrived at between the parties is genuine and without any pressure or coercion and no useful purpose would be served by continuing the criminal proceedings.

5. Consequently, in view of the above circumstances and in view of the judgment of the Hon'ble Supreme Court in the case of Madan Mohan Abbot Vs. State of Punjab, and the law laid down by the Full Bench of this Court in the case of Kulwinder Singh and Others Vs. State of Punjab and Another, FIR No. 55 dated 7.11.2010 under Sections 323, 324, 34 IPC, registered at Police Station Sandaur, District Sangrur (Annexure P1) and police report filed under Sections 323 /324 /201 /34 IPC is quashed with all consequential proceedings arising therefrom qua petitioners. Petition is disposed of.