

(2011) 08 P&H CK 0277

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous No. 10744-M of 2011 (O and M)

Paramjeet Singh Alias Pamma

APPELLANT

Vs

The State of Punjab and Another

RESPONDENT

Date of Decision: Aug. 18, 2011

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 482
- Penal Code, 1860 (IPC) - Section 148, 149, 323, 324, 325

Hon'ble Judges: Ajai Lamba, J

Bench: Single Bench

Final Decision: Allowed

Judgement

Ajai Lamba, J.

This petition has been filed u/s 482, Code of Criminal Procedure, praying for quashing of cross version under Sections 325, 324, 323, 34, Indian Penal Code, registered on the statement of respondent No. 2/Sukhdev Singh, in FIR No. 15 dated 13.2.2005 under Sections 326, 325, 452, 148, 149, 323, Indian Penal Code, Police Station, Nihal Singh Wala, District Moga (Annexure P-1) and subsequent proceedings, on the basis of compromise dated 12.1.2011 (Annexure P-5).

2. Learned counsel for the petitioner contends that an incident took place in which both the sides were injured. The FIR came to be lodged at the instance of petitioner/Paramjeet Singh alias Pamma, in which respondent No. 2 and others have been arrayed as accused. The cross version has been recorded at the instance of Sukhdev Singh (respondent No. 2) and petitioner/Paramjeet Singh alias Pamma is being prosecuted.

3. Learned counsel for the petitioner and respondent No. 2 contend that all the disputes between the parties have been settled by way of compromise (Annexure P-5). It has been pleaded that the parties are residents of the same village and, in the interest of peace and harmony, do not want to prosecute each other.

4. Respondent No. 2/Sukhdev Singh, as identified by his counsel Shri Rajesh Bhatheja, Advocate, is present in court and states that he is not ready to prosecute the petitioner, in view of terms of compromise (Annexure P-5) and he would not be bringing any evidence to Court.

5. Learned counsel for the respondent-State contends that because the disputes have been settled by way of compromise, the State would have no objection to the quashing of the FIR.

6. Having considered the stand of respondent No. 2, I am of the considered opinion that no purpose in law would be served by continuance of proceedings. Rather, in the interest of peace and harmony, the cross version recorded in the FIR needs to be quashed because the petitioner and respondent No. 2 want to live in peace.

7. In view of the above, the petition is allowed.

8. Cross version under Sections 325, 324, 323, 34, Indian Penal Code, registered on the statement of respondent No. 2/Sukhdev Singh, in FIR No. 15 dated 13.2.2005 under Sections 326, 325, 452, 148, 149, 323, Indian Penal Code, Police Station, Nihal Singh Wala, District Moga (Annexure P-1) and subsequent proceedings, are hereby quashed.