
(2014) 07 P&H CK 0220

High Court Of Punjab And Haryana At Chandigarh

Case No: CRM-M-4363-2014 and CRM-M-3436-2014

Jaswant Singh

APPELLANT

Vs

State of Punjab

RESPONDENT

Date of Decision: July 14, 2014

Acts Referred:

- Penal Code, 1860 (IPC) - Section 148, 149, 323, 324, 326

Hon'ble Judges: Rekha Mittal, J

Bench: Single Bench

Advocate: Sandeep Arora, Advocate for the Appellant; Parvez Akhtar and Mohd. Yousaf, Advocates , Amarinder Singh Klar, AAG, Advocate for the Respondent

Final Decision: Allowed

Judgement

Rekha Mittal, J.

By way of this order, I shall dispose of both the aforesaid criminal petitions together pertaining to version and cross version, emanating from the same incident relating to FIR No. 139 dated 18.06.2012 registered at Police Station Sadar Jalandhar, District Jalandhar.

2. Vide CRM-M-4363-2014, petitioners, namely, Jaswant Singh, Haminder Singh, Harpreet Singh, Sarabjit Singh, Balkar Singh, Jaspreet Singh, Binderjit Kaur and Jaswinder Kaur have prayed for quashing of FIR No. 139 dated 18.06.2012 for offence under Sections 452, 323, 324, 341, 427, 148, 149 IPC registered at Police Station Sadar, Jalandhar and proceedings emanating therefrom on the basis of compromise/affidavits dated 28.01.2014 (Annexure P2 to P5) arrived at between the parties. In CRM-M-3436-2014, petitioners, namely, Sat Pal, Bhupinder Singh @ Bind and Gurpreet Lal have prayed for quashing of cross case registered vide DDR No. 13 dated 29.06.2012 under Sections 323, 324, 326, 341, 427, 34 IPC in the said FIR, on the basis of compromise dated 25.01.2014 (Annexure P2).

3. The parties were directed to appear before the trial Court on 28.04.2014 to get their statements recorded with regard to genuineness of compromise. Simultaneously, the trial Court was also directed to submit its report with regard to genuineness of the compromise arrived at between the parties.

4. A report has been submitted by the Additional Chief Judicial Magistrate, Jalandhar wherein it has been reported that the statements of the petitioners, complainant and injured have been recorded and the statements made by the parties in the Court reveal that they have voluntarily entered into a compromise with an intention to live in peace and harmony.

5. Counsel for both sets of the petitioners would contend that injured-victims in the version and cross-version have been arrayed as respondents and all of them have made statements before the Court below raising no objection if the proceedings are quashed in view of settlement of the dispute.

6. Counsel for the State has not disputed correctness of assertions of the petitioners that the matter has been settled by way of compromise between the parties.

7. I have heard counsel for the parties and perused the case file.

8. There is nothing on record to doubt correctness of the compromise effected between the parties, whereby they have decided to settle their dispute with an intention to live in peace and harmony. The present case falls in the category of cases, which can be allowed to be settled by way of compromise, in view of the decision of Hon"ble the Supreme Court of India in [Gian Singh Vs. State of Punjab and Another](#).

9. In view of what has been discussed hereinabove, the petitions are allowed and FIR No. 139 dated 18.06.2012 for offence under Sections 452, 323, 324, 341, 427, 148, 149 IPC registered at Police Station Sadar, Jalandhar as well as cross case registered vide DDR No. 13 dated 29.06.2012 under Sections 323, 324, 326, 341, 427, 34 IPC in the said FIR and proceedings emanating therefrom are ordered to be quashed, qua the petitioners.