
(2012) 04 P&H CK 0055
In the Punjab And Haryana At Chandigarh
Case No : CRM No. M-22713 of 2011

Bhupinder Singh and Others

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision : 03-04-2012

Acts Referred:

Penal Code, 1860 (IPC) — Section 323, 324, 325, 34

Citation : (2012) 1 ILR (P&H) 964

Hon'ble Judges : Ritu Bahri, J

Bench : Single Bench

Advocate : R.S. Bassi, for the Appellant; Rajinder Mathur, AAG, Punjab and Mr. G.S. Lalli, Advocate, for the Respondent

Judgement

Ritu Bahri, J.—Quashing of FIR No. 60 dated 23.2.2009 registered under Sections 323, 324, 325 and 34 of IPC at Police Station Kharar, District SAS Nagar (Mohali) and the proceedings consequential thereto are being sought on the basis of compromise dated 19.7.2011 (Annexure P-2). As per allegations in the FIR, on 22.2.2009 at about 9.00 p.m., a raula took place in street and then respondent No. 2 saw from the gate that her neighbourer Bhupinder Singh was hurling abuses at him. When he stopped accused Bhupinder Singh, then the accused/petitioners gave kahi and kirpan blows to the complainant party. In this background, the impugned FIR was registered.

2. At the stage of prosecution evidence, the parties have entered into a compromise dated 19.7.2011 (Annexure P-2).

3. In compliance with the order dated 27.2.2012, the status report has been submitted by Judicial Magistrate Ist Class, Kharar. As per status report, the statements of complainant-respondent No. 2, eye-witnesses Rajinder Singh and Ravinder Singh, respondent Nos. 3 and 4, respectively are recorded to the effect that they have compromised the matter without any pressure. The statements of the accused/petitioners are also recorded to the same effect.

4. Counsel for the State does not controvert the said facts.

5. Heard.

6. In view of the above, this Court is of the view that no useful purpose would be served in prolonging the litigation.

7. Consequently, in view of the judgment of the Hon''ble Supreme Court in the case of Madan Mohan Abbot vs. State of Punjab (supra) and the law laid down by the Full Bench of this Court in the case of Kulwinder Singh and Ors. vs. State of Punjab and another (supra), FIR No. 60 dated 23.2.2009 registered under Sections 323, 324, 325 and 34 of IPC at Police Station Kharar, District SAS Nagar (Mohali) and the proceedings consequential thereto are quashed with all consequential proceedings arising therefrom qua petitioners. The petition stands disposed of.