
(2018) 04 P&H CK 0420

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 10936, 10960 Of 2018 (O&M)

Gurcharan Singh And Another

APPELLANT

Vs

State of Punjab And Another

RESPONDENT

Date of Decision : 25-04-2018

Acts Referred:

Code of Criminal Procedure, 1973 — Section 482

Indian Penal Code, 1860 — Section 34, 295, 323, 324, 506

Citation : (2018) 04 P&H CK 0420

Hon'ble Judges : Mahabir Singh Sindhu, J

Bench : Single Bench

Advocate : Harchand Singh Batth, Tanvir Joshi, Gaurav Kalsi

Final Decision : Allowed

Judgement

Mahabir Singh Sindhu, J.

This order shall dispose off the aforementioned petitions as both these petitions have arisen out of the same occurrence.

Both the aforementioned petitions under section 482 Cr.P.C. are for quashing of FIR No.113 dated 13.08.2016, under Sections 323, 324, 295, 506, 34 of the Indian Penal Code, registered at Police Station Doraha, Police District Khanna, District Ludhiana (Annexure P-1) as well as its cross-version recorded vide DDR No.22 dated 14.08.2016, under Sections 323, 427, 451, 34 of the Indian Penal Code, registered at Police Station Doraha, Police District Khanna, District Ludhiana (Annexure P-2) on the basis of compromise dated 01.01.2018 (Annexure P-3) arrived at between the parties along with all subsequent proceedings arising from that FIR and cross-version.

Heard both the sides.

Both the parties were directed by this Court vide order(s) dated 15.03.2018 to appear before the learned trial Court and get their statements recorded and in

pursuance thereof, learned Sub Divisional Judicial Magistrate, Payal recorded the statements of both the parties and submitted report(s) dated 06.04.2018.

A perusal of the report(s) clearly reveals that the matter has been compromised by both the parties with their free consent, voluntarily and without any coercion or undue influence. Even before this Court also, there is no objection by either of the parties in case the aforesaid FIR along with DDR are quashed. The learned State Counsel, on instructions from ASI Jagtar Singh, P.S. Doraha, Police District Khanana, District Ludhiana, has also no objection in case the aforesaid FIR along with DDR as well as all other consequential proceedings are quashed on the basis of the compromise effected between the parties in this case.

In view of above, this Court is fully convinced that the offences are entirely personal in nature and do not affect any public peace or tranquility and thus quashing of FIR No.113 dated 13.08.2016 as well as its cross-version recorded vide DDR No.22 dated 14.08.2016 along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice.

Accordingly, the impugned FIR along with DDR and all consequential proceedings resulting therefrom, qua the petitioners, are hereby quashed.

Both the present petitions are allowed.

Photocopy of this order be placed on the connected case.