
(2012) 09 P&H CK 0059

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-11613 of 2012 (O and M)

Gurpreet Singh and Others

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision : 28-09-2012

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482
Penal Code, 1860 (IPC) — Section 148, 149, 307, 323, 34

Citation : (2012) 09 P&H CK 0059

Hon'ble Judges : Paramjeet Singh, J

Bench : Single Bench

Advocate : Virender Kumar, for the Appellant; Jaspreet Kaur, A.A.G., Punjab and Mr. JS Cooner, Advocate, for the Respondent

Final Decision : Allowed

Judgement

Paramjeet Singh, J.—This order shall dispose of CRM No. M-11613 of 2012 titled as "Gurpreet Singh and others Vs. State of Punjab and others" and CRM No. M-11821 of 2012 titled as " Gurbachan Singh and others Vs. State of Punjab and others". These petitions have been filed u/s 482 Cr. P.C. for quashing of FIR No. 04 dated 14.01.2012, under Sections 307 and 34 I.P.C. registered at Police Station Kurali, District SAS Nagar, Mohali and cross version case DDR No. 25 dated 14.01.2012 under Sections 452, 323, 148 & 149 IPC along with consequential proceedings, arising out of it on the basis of compromise in the form of affidavits, both dated 24.01.2012 (Annexure P-3).

2. Vide order dated 13.08.2012 passed in CRM No. M-11613 of 2012, this Court had directed the Illaqa Magistrate to record the statements of the parties and send the status report about the genuineness of the compromise alongwith copies of the statements of the parties to this Court. Letter No. 723 dated 24.09.2012 alongwith the statements of the parties, has been received from the Additional Chief Judicial Magistrate, Rupnagar, wherein, it has been mentioned that the parties have compromised the matter voluntarily to end their dispute.

3. Consequently, in view of compromise and keeping in view the law laid down by the Hon''ble Apex Court in the case of Madan Mohan Abbot vs. State of Punjab, 2008(2) RCR (Criminal) 429, approved by a larger Bench of Hon''ble Supreme Court in a recent judgment in Gian Singh versus State of Punjab and another, SLP (Crl.) No. 8989 of 2010 decided on 24.09.2012, and by the Full Bench judgment of this Court in the case of Kulwinder Singh and others vs. State of Punjab and another, 2007(3) RCR (Crl.) 1052, no useful purpose would be served in prolonging the litigation and it would be in the interest of justice to quash the impugned FIR and proceedings arising thereout. In view of the above, the present petitions are allowed. FIR No. 04 dated 14.01.2012, under Sections 307 and 34 I.P.C. registered at Police Station Kurali, District SAS Nagar, Mohali and cross case DDR No. 25 dated 14.01.2012 under Sections 452, 323, 148 & 149 IPC arising therefrom are hereby quashed and all the proceedings arising from the said FIR also stand quashed.