
(2020) 12 P&H CK 0041

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 25674 Of 2020

Jagdev Singh And Others

APPELLANT

Vs

State Of Punjab And Anr.

RESPONDENT

Date of Decision : 02-12-2020

Acts Referred:

Indian Penal Code, 1860 — Section 34, 308, 323, 341, 506

Citation : (2020) 12 P&H CK 0041

Hon'ble Judges : Anupinder Singh Grewal, J

Bench : Single Bench

Advocate : Inderjit Sharma, Ramdeep Partap Singh, Mukesh Bhatnagar

Final Decision : Allowed

Judgement

Anupinder Singh Grewal, J

Heard through video conferencing.

The petitioners are seeking quashing of FIR No.0033 dated 11.06.2019 under Sections 341, 323, 506 & 34 IPC, (Section 308 IPC added later on),

registered at Police Station Sadar Rampura, District Bathinda on the basis of compromise which has been arrived at between the parties.

Learned counsel for the petitioners contends that the FIR is the outcome of a sudden quarrel between the parties and the matter has been

compromised. The injured has fully recovered from the injuries. He also contends that the injury, for which Section 308 IPC was added later on, had

been caused with the reverse side of the kirpan on the nose of the complainant who has fully recovered.

A coordinate Bench of this Court vide order dated 03.09.2020 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording

their statements and send a report as to whether the compromise has been arrived at without any coercion or undue influence. The report of the Sub

Divisional Judicial Magistrate, Phul dated 12.10.2020 has been received, wherein it is stated that in pursuance to the order of this Court, the statements

of the parties were recorded which indicates that compromise which has been effected is genuine, voluntary and without undue influence.

The FIR is an outcome of a sudden quarrel between the parties and the matter has been compromised. The injured has fully recovered from the injuries.

In view of the law laid down by the Supreme Court in the case of Narinder Singh vs. State of Punjab 2014 (6) SCC 466, no useful purpose will be

served by continuing the criminal proceedings. Therefore, the petition is allowed and the FIR No.0033 dated 11.06.2019 under Sections 341, 323, 506

& 34 IPC, (Section 308 IPC added later on), registered at Police Station Sadar Rampura, District Bathinda and all consequential proceedings are

hereby quashed qua the petitioner(s).