

(2013) 08 P&H CK 0775

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-11036 of 2013

Jaspal Singh and others

APPELLANT

Vs

State of Punjab and another

RESPONDENT

Date of Decision : 14-08-2013

Acts Referred:

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

Citation : (2013) 08 P&H CK 0775

Hon'ble Judges : Ritu Bahri, J

Bench : Single Bench

Advocate : Karamjit Singh Maangat, for the Appellant; Amrit Pal Singh Gill, AAG, Punjab, for the Respondent

Final Decision : Disposed Off

Judgement

Ritu Bahri, J.—Quashing of FIR No. 15 dated 25.2.2013 under Sections 325, 323, 34 IPC registered at Police Station Ghanie Ke Bangar, Tehsil Batala, District Gurdaspur (Annexure P1) on the basis of compromise dated 19.3.2013 (Annexure P2). The FIR was registered on the statement made by Satnam Singh alleging that on 29.1.2013 when he and his wife had gone to Fatehgarh Churian, on their way back to the village Jaspal Singh, Ranjit Singh having wooden sticks and three other unidentified persons raised a lalkara for not allowing them to take possession of the Panchayat land. They inflicted injuries on the complainant and his wife. In this background the FIR was got registered.

2. During the pendency of investigation, a compromise was effected between the parties on 19.3.2013 (Annexure P2).

3. In compliance of the order dated 5.4.2013, status report dated 6.5.2013 has been filed by the Chief Judicial Magistrate, Gurdaspur. As per this report, statement of all the accused as well as the complainant have been recorded to the effect that the matter has been compromised. The complainant has stated that he has no objection if the FIR in the present case is quashed. The statement

of the Sarpanch has been recorded to the effect that he identified all the accused and the complainant and they are residents of his village.

4. In view of the statements of the parties, the Court is satisfied that the compromise arrived at between the parties is genuine and without any pressure or coercion and no useful purpose would be served by continuing the criminal proceedings.

5. Consequently, in view of the above circumstances and in view of the judgment of the Hon''ble Supreme Court in the case of Madan Mohan Abbot Vs. State of Punjab, 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 2007 (3) RCR (Cr.) 1052, FIR No. 15 dated 25.2.2013 under Sections 325, 323, 34 IPC registered at Police Station Ghanie Ke Bangar, Tehsil Batala, District Gurdaspur (Annexure P1) is quashed with all consequential proceedings arising therefrom qua petitioners. Petition is disposed of.