

(2013) 08 P&H CK 0664

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-14919 of 2013

Narender Singh and another

APPELLANT

Vs

State of Punjab and others

RESPONDENT

Date of Decision : 14-08-2013

Acts Referred:

Penal Code, 1860 (IPC) — Section 323, 324, 34, 452

Citation : (2013) 08 P&H CK 0664

Hon'ble Judges : Ritu Bahri, J

Bench : Single Bench

Advocate : Davinder Bir Singh, for the Appellant; Amrit Pal Singh Gill, AAG, Punjab and Mr. Arshdeep Singh Brar, Advocate for respondents No. 2 and 3, for the Respondent

Final Decision : Disposed Off

Judgement

Ritu Bahri, J.—Quashing of FIR No. 49 dated 21.5.2011 under Sections 452, 323, 324, 34 IPC registered at Police Station Jodhan, District Ludhiana Rural (Annexure P1) is being sought on the basis of compromise dated 27.4.2013 (Annexure P-2). The FIR has been recorded on the statement made by Tarlochan Singh alleging that on 18.5.2011 he along with his wife and father were present at home. At that time Ajaib Singh and Narinder Singh armed with Danda came to the door steps of their house. Ajaib Singh came inside their house and slapped them and thereafter both of them went out. After coming out, Ajaib Singh inflicted injuries on the person of the complainant-Tarlochan Singh. The cause of dispute was that both the accused were telling the complainant to remove the brick bats lying on the street which were kept by him for construction of the house.

2. During the pendency of the trial, a compromise was effected between the parties on 27.4.2013 (Annexure P2).

3. In compliance of the order dated 7.5.2013, status report dated 8.8.2013 has

been filed by the Judicial Magistrate (Ist Class), Ludhiana. As per this report, statement of the parties have been recorded to the effect that they have compromised the matter. The complainant-Tarlochan Singh also stated that he has no objection if the FIR in the present case is quashed.

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 (Crl.) 1052, FIR No. 49 dated 21.5.2011 under Sections 452, 323, 324, 34 IPC registered at Police Station Jodhan, District Ludhiana Rural (Annexure P1) is quashed with all consequential proceedings arising therefrom qua petitioners. Petition is disposed of.