
(2012) 07 P&H CK 0258

In the Punjab And Haryana At Chandigarh

Case No : Criminal Misc No. M-12438 of 2012 (O and M)

Sohan Singh @ Neela and others

APPELLANT

Vs

State of Punjab and another

RESPONDENT

Date of Decision : 16-07-2012

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482
Penal Code, 1860 (IPC) — Section 148, 149, 323, 324, 342

Citation : (2012) 07 P&H CK 0258

Hon'ble Judges : Ritu Bahri, J

Bench : Single Bench

Advocate : Neha Mann, for Mr. K.B.S. Mann in Criminal Misc No. M-12438 of 2012 and Mr. Vivek Goel in Criminal Misc No. M-12440 of 2012, for the Appellant; Neha Mann, Advocate for Mr. K.B.S. Mann, Advocate for Respondent No. 2 in Crl. Misc No. M-12440 of 2012, Mr. Vivek Goel, Advocate for Respondent No. 2 in Crl. Misc No. M-12438 of 2012 and Ms. Gagan Mohini, AAG, Punjab, for the Respondent

Judgement

Ritu Bahri, J.—By this common order, Crl. Misc No. M-12438 of 2012 & Crl. Misc No. M-12440 of 2012 shall be decided together wherein prayer is for quashing of FIR No. 73 dated 28.10.2011 under Sections 452/324/323/506/148/149 IPC, registered at Police Station Baja Khana, Faridkot, District Faridkot and cross case i.e DDR No. 34 dated 28.10.2011 under Sections 323/324/342/148/149 IPC in the above said F.I.R, registered at Police Station Baja Khana, Faridkot, District Faridkot and subsequent proceedings arising therefrom on the basis of compromise dated 17.04.2012 (Annexure P2). The F.I.R and D.D.R in question were got registered by the parties herein against each other. However, the matter has been compromised due to intervention of respectable of the area. Compromise deed is dated 17.04.2012 has already been placed on record as Annexure P2 to this effect in both the petitions.

2. As per F.I.R and D.D.R, the complainants are residents of the same village and the incident took place in the house of Sukhjit Singh wherein the scuffle took

place between the parties and simple injuries were suffered by both sides. The injured were admitted in the Medical Hospital, Faridkot.

3. At the stage of investigation, the parties have entered in to the compromise, vide compromise deed dated 17.04.2012 (Annexure P-2).

4. The parties are present in the Court along with their respective counsel and admit the factum of compromise. Learned Counsel for the parties submit that as per compromise (Annexure P-2), the parties have decided to get the aforementioned F.I.R and D.D.R quashed. Complainant-Vir Singh in Crl. Misc. No. M-12438 of 2012 and complainant-Simarjeet Singh in Crl. Misc. No. M-12440 of 2012 have also filed their affidavits to the effect that the mater has been compromised between him and the petitioners. The affidavits dated 17.04.2012 of both the complainants are part of the petition (P-3). The compromise is voluntarily and without any pressure.

5. Learned State counsel, on instructions from ASI Paramjit Singh has also admitted the factum of compromise.

6. Taking into account that the compromise has been effected between the parties and the compromise deed is dated 17.04.2012 placed on record in both the petitions whereby the parties have decided to get the F.I.R and D.D.R quashed, it is a fit case where there is no impediment in the way of the Court to exercise its inherent powers u/s 482 Cr.P.C for quashing of F.I.R and D.D.R in the interest of justice.

7. Consequently, in view of the affidavits dated 17.04.2012 and in view of the judgment of the Hon''ble Supreme Court in the case of Madan Mohan Abbot vs. State of Punjab (supra), the law laid down by the Full Bench of this Court in the case of Kulwinder Singh and others vs. State of Punjab and another (supra), no useful purpose would be served in prolonging the litigation.

8. Accordingly, FIR No. 73 dated 28.10.2011 under Sections 452/324/323/506/148/149 IPC, registered at Police Station Baja Khana, Faridkot, District Faridkot and cross case i.e DDR No. 34 dated 28.10.2011 under Sections 323/324/342/148/149 IPC in the above said F.I.R, registered at Police Station Baja Khana, Faridkot, District Faridkot is quashed with all consequential proceedings arising therefrom qua petitioners. The petitions stands disposed of.