

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

1. Crl. Misc.No. M- 32254 of 2011 (O&M)

Karanbir Singh and others

.....Petitioners

versus

State of Punjab and others

...Respondents

2. Crl. Misc.No. M- 32211 of 2011 (O&M)

Balkar Singh and others

.....Petitioners

versus

State of Punjab and others

...Respondents

Date of decision : 30.03.2012

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. A.S. Syan, Advocate
for the petitioners in Crl. Misc. No. M- 32254 of 2011 &
for respondent Nos. 2 to 4 in Crl. Misc.No. M- 32211 of 2011

Mr. Rajinder Mathur, AAG, Punjab

Mr. R.S. Rana, Advocate
for the petitioners in Crl. Misc.No. M- 32211 of 2011 &
for the respondent Nos. 2 to 6 in Crl. Misc.No. M- 32254 of 2011

RITU BAHRI , J. (Oral)

By this common order, Crl. Misc.No. M- 32254 of 2011 & Crl. Misc. No. M- 32211 of 2011 shall be decided together wherein prayer is for quashing of FIR No. 107 dated 10.12.2010 under Sections 323/324/506/148/149 IPC, registered at Police Station Ghanour, Distt. Patiala and DDR No. 26 dated 10.12.2010 in the above said F.I.R and subsequent

proceedings arising therefrom on the basis of compromise.

The F.I.R and D.D.R in question were got registered by the parties herein against each other. Brief facts of the case are that on 07.12.2010, Balkar Singh along with his paternal uncle's son Amandeep went to attend the marriage of grand son his paternal aunt at village Barera, Derabassi. Where Karanbir Singh was also came from the side of the girl who in drankard condition who was speaking bad words to the girls of his relations. They tried to stop him as belong to their village. On 09.12.2010, in afternoon Karanbir Singh and Sahib Singh came in front of Balkar Singh paternal uncle Amandeep Singh and raised lalkara and kicked on the gate of his house and abused stating that come out, we will teach you. Amandeep's wife did not open the gate and they went back. When Amandeep Singh came back from his fields his wife told him about incident at about 7 P.M Karanbir Singh gave a phone call to his paternal uncle's son Amandeep Singh and told him to come out we will teach you a lesson, then he told this to him and his paternal uncle Saroop Singh after calling them in his house. Then Karanbir Singh along with Sahib Singh, Angrez Singh and 5/7 unknown persons came in front of their gate and started raising lalkara and gathered on one side of the gate on the road coming from Sarla Kalan, then three persons out after opening the gate and that time Karandeep Singh who was having sword in his hand, Sahib singh who was having Gandassi and Angrej Singh who was having dang along with 5/7 other unknown persons attached on them. Both sides gave beatings to each other. In the above background,

the F.I.R as well as D.D.R have been registered against each other.

However, the matter has been compromised due to intervention of respectable of the area. In compliance of order dated 11.01.2012, status report dated 13.02.2012 of Additional Civil Judge (Sr. Divn.) through District and Sessions Judge, Patiala has been received. As per this report, statements of Karanvir Singh, Sahib Singh and Angrej Singh (petitioners in Crl. Misc. No. M-32254 of 2011 and respondent/injured in Crl. Misc. No. M-32211 of 2011) to the effect that they have compromised the matter with the accused and have no objection if F.I.R be quashed against them. Statements of Balkar Singh, Amandeep Singh, Sarup Singh, Sukhbir Singh, Nimmu @ Major Singh (petitioners in Crl. Misc. No. M-32211 of 2011 and respondents/injured in Crl. Misc. No. M-32254 of 2011) have been recorded to the same effect. The compromise is voluntarily and without any pressure.

Learned counsel for the parties submit that as per compromise (Annexure P-3), the parties have decided to get the aforementioned F.I.R and D.D.R quashed.

Taking into account that the compromise has been effected between the parties and the compromise deed is P-3 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 under Section 482 Cr.P.C for quashing of F.I.R and D.D.R in the interest of justice.

Consequently, in view of the status report dated 13.02.2012 and in view of the judgment of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429**, 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**, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 107 dated 10.12.2010 under Sections 323/324/506/148/149 IPC, registered at Police Station Ghanour, Distt. Patiala and DDR No. 26 dated 10.12.2010 in the above said F.I.R is quashed with all consequential proceedings arising therefrom qua petitioners.

The petitions stands disposed of.

A photo copy of this order be placed on the files of connected case.

(RITU BAHRI)
JUDGE

March 30, 2012

G.Arora