

Ranjit Singh and Others Vs. Ranjit Singh and Others

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Court : Punjab and Haryana

Decided On : Jan-22-2013

Appellant : Ranjit Singh and Others

Respondent : Ranjit Singh and Others

Judgement :

CRM-M No.15943 of 2012 (O&M) ::1:: IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH CRM-M No.15943 of 2012 (O&M) Date of decision : January 22, 2013 Ranjit Singh and otheRs.....Petitioners v.

State of Punjab and another,Respondents *** CORAM : HON'BLE MR.JUSTICE AJAY TEWARI *** Present : Mr.Ranjit Sharma, Advocate for the petitioneRs.Mr.K.S.Pannu, AAG Punjab for respondent No.1.

Mr.Ramesh K Dhiman, Advocate for respondent No.2.

*** 1.

Whether Reporters of Local Newspapers may be allowed to see the judgment ?.

2. To be referred to the Reporters or No.?.

3. Whether the judgment should be reported in the Digest ?.

*** AJAY TEWARI, J (Oral) Prayer in the present petition, filed under Section 482 of the Cr.P.C, is for quashing of FIR No.41, dated 12.5.2007, registered under

Sections 452, 323, 34 of the IPC, at Police Station Verowal, District Tarn Taran, on the basis of a compromise, arrived at between the parties.

On 6.8.2012, the following order was passed :- Since it is a petition for quashing of FIR on the basis of compromise, let the statements of the parties be recorded before the trial Court.

Parties are directed to be present before the trial Court on 22.8.2012 or any other date convenient to the Court for recording their statements with regard to compromise.

The trial Court is directed to record the statements of both the parties to its satisfaction to knot its genuineness that the statements are not the result of any pressure or coercion in any CRM-M No.15943 of 2012 (O&M) ::2:: manner.

The trial Court is directed to send a report along with statements of the parties with regard to validity or otherwise of the compromise effected between the parties and also intimate whether any case is pending against either of the parties or not before the next date of hearing.

The trial Court is also directed to intimate with regard to pendency of any P.O proceedings against the parties.

Pursuant to the aforesaid order, report dated 11.9.2012 from the Principal Magistrate, Juvenile Justice Board, Tarn Taran has been received attesting to the fact that the matter has been compromised between the parties.

Counsel for the parties have also stated that in fact the matter has been compromised.

In view of the facts, noticed herein above, it is apparent that both the parties have arrived at a bona fide settlement.

I am of the opinion that it would be in the interest of justice, as also in the interest of parties, if the present FIR and all subsequent proceedings, emanating therefrom are quashed.

It is a fit case where this Court should exercise jurisdiction, under Section 482 of the Cr.P.C to put an end to these futile criminal proceedings.

Even otherwise, a Full Bench of this Court has issued broad guidelines in Kulwinder Singh and others vs State of Punjab and another, 2007(3) RCR (CrI) 1052, for quashing of the FIR where parties enter into compromise.

Consequently, the present petition is allowed and FIR No.41, dated 12.5.2007, registered under Sections 452, 323, 34 of the IPC, at Police Station Verowal, District Tarn Taran, and all subsequent proceedings, emanating therefrom, are quashed.

(AJAY TEWARI) January 22, 2013.

JUDGE `kk' CRM-M No.15943 of 2012 (O&M) ::3::

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