

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

251(A)

(1)

CRM-M-3713-2015

Date of Decision: September 22, 2015.

JASVIR SINGH AND ORS.

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ANR.

.....RESPONDENTS

(2)

CRM-M-752-2015

AVTAR SINGH AND ORS.

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ANR.

.....RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI

Present: Mr.Anil Dutt,Advocate for
Mr.Yogesh Goel,Advocate
for the petitioners

Mr.P.S.Bajwa,DAG,Punjab

Mr.Malkeet Singh,Advocate
for respondent No.2

M.M.S.BEDI, J.(Oral)

This order will dispose of the aforesaid two petitions for quashing of FIR and cross version. The FIR No.67 of 08.07.2014 under Sections 307,324,148,149 IPC was registered at Police Station Banur, Patiala at the instance of Gurwinder Singh against Jasvir Singh and others alleging that the petitioners in CRM-M-3713-2015 had constituted an unlawful assembly and assaulted complainant Gurwinder Singh with an intention to kill. A cross version was recorded vide DDR No.43 dated 08.07.2014 in the aforesaid FIR at the instance of Jasvir Singh alleging that the petitioners in CRM-M-752-2015 had assaulted respondent No.2 Jasvir Singh and his father Shiv Dev Singh, respondent No.3.

As the parties claimed that the matter has been compromised,
they were directed to appear before the Area Magistrate and get their

statements recorded. After recording the statements of the parties, report has been received that the matter has been compromised between the parties without any treat, coercion or undue influence.

I have gone through the injuries and I am of the opinion that it is certainly a debatable issue whether injury has been caused unintentionally or with the knowledge of causing death. The injury on the skull of Jasvir Singh was initially declared simple but after lapse of some time an opinion was given regarding the same to be grievous in nature.

In view of said circumstances prima facie the offence under Section 307 IPC is not made out. The parties having amicably resolved the dispute, following the judgment of Full Bench of this Court in **Kulwinder Singh vs. State of Punjab and others 2007(3) RCR(Cr.)1052**, I am satisfied and permit the parties to compromise the matter. The aforesaid FIR and cross version are hereby quashed, the matter having been compromised, subject to the condition that all the petitioners in CRM-M-3713-2015 and CRM-M-752-2015 will furnish separate affidavits attested by the Executive Magistrate before the Station House Officer of the concerned police station within a period of one month, deposing therein that they will not indulge in similar activities in future and in any case of their committing the similar offence again it will be open to the prosecution agency to revive the cases against the petitioners.

September 22, 2015
TSG

(M.M.S.BEDI)
JUDGE