

233-A/233

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

1) **CRM-M No. 14255 of 2015 (O&M)**

Santokh Singh and others

..... Petitioners

Vs.

State of Punjab and others

..... Respondents

&

2) **CRM-M No. 14241 of 2015 (O&M)**

Sarup Singh and others

..... Petitioners

Vs.

State of Punjab and others

..... Respondents

Date of Decision: 18.05.2016

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Karambir Singh Kahlon, Advocate
for the petitioners (in CRM-M No. 14255 of 2015) and
for respondent Nos. 2 and 3 (in CRM-M No. 14241 of 2015)

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for respondent No. 1/State assisted by ASI Dalbir Singh.

Mr. Damanjeet Singh Sandhu, Advocate
for the petitioners (in CRM-M No. 14241 of 2015) and
for respondent Nos. 2 to 4 (in CRM-M No. 14255 of 2015)

JASWANT SINGH, J. (ORAL)

This order shall dispose of two aforementioned petitions as both these petitions have arisen out of the same occurrence.

Both the aforementioned petitions under section 482 Cr.P.C. are for quashing of FIR No. 03, dated 12.01.2014, for offences punishable under Sections 307, 452, 323, 148, 149 of the Indian Penal Code, registered

at Police Station Sadar Batala, District Gurdaspur and its cross version recorded in the aforementioned FIR vide DDR No. 04, dated 12.01.2014, for offences punishable under Sections 307, 335, 341, 148, 149 of the Indian Penal Code, on the basis of compromise dated 07.01.2015 and 21.04.2015 arrived at between the parties along with all subsequent proceedings arising from that FIR.

As per allegations in FIR, inter alia, on 12.01.2014 at about 7.30 p.m., petitioners-accused armed with *kirpan, datar, 12 bore rifle, sota, baseball*, waylaid the complainant party and inflicted injuries on their person, because of taking possession of the house of complainant-Sarup Singh (respondent No. 2 herein).

As per cross-version, on 11.01.2014 at 7.30 p.m., when Kulwinder Kaur (respondent No. 2/complainant) alongwith her husband-Santokh Singh (respondent No. 3) were going in their Tata Nano vehicle/car, petitioners-accused armed with *kirpan danda*, etc. in connivance with each have damaged the vehicle by stopping it and have burnt the same and with intention to kill the complainant party, the attempt was made.

Vide order dated 04.03.2016, this Court directed the learned Illaqa Magistrate/trial Court to send report with regard to compromise in pursuance of which, a report/letter No. 129/128 dated 28.03.2016 has been received from the learned Judicial Magistrate Ist Class, Batala, which is taken on record as **Mark-A**. It is stated in the report that the statements of the parties could not be recorded as they are not appeared.

Learned State Counsel, assisted by ASI Dalbir Singh, states that the matter is still under investigation.

At this stage, learned counsel for the petitioner(s) pray for withdrawal the petition(s).

Both the aforementioned petitions stand dismissed as withdrawn.

May 18, 2016

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(JASWANT SINGH)
JUDGE