

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

**Date of decision: 09.08.2016
CRM No. M-32010 of 2013**

1.

Amrit Pal Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

2.

CRM No. M-3585 of 2016

Parwinder Kumar alias Pindu and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Sanjeev Kumar Bawa, Advocate,
for the petitioners (in CRM-M-32010-2013)
and for respondent No.2 (in CRM-M-3585-2016).**

**Mr. Mukesh Kumar Bhatnagar, Advocate,
for the petitioners (in CRM-M-3585-2016)
and for respondent Nos.2 to 5 (in CRM-M-32010-2013)**

Mr. A.P.S. Gill, AAG, Punjab.

Ritu Bahri, J.

**By this common order, Crl. Misc No. M-32010 of 2013 & Crl.
Misc No. M-3585 of 2016 shall be decided together wherein prayer is for
quashing of FIR No. 51 dated 25.06.2013, under Sections
307/459/354/323/324/427/336/148/149 IPC & Sections 25/27/54/59 of**

cross case version recorded vide DDR No.27 dated 26.06.2013, under Sections 324/323/34/148/149 IPC in FIR No. 51 dated 25.06.2013, under Sections 307/459/354/323/324/427/336/148/149 IPC & Sections 25/27/54/59 of Arms Act, registered at Police Station, Nurmehal, District Jalandhar and subsequent proceedings arising therefrom on the basis of compromise dated 30.08.2013 (Annexure P-2).

F.I.R. No.51 dated 25.06.2013 was registered on the basis of statement made by Parwinder Singh alias Pindu-respondent No.2 to the effect that on 24.06.2013, at about 8.15 P.M., when he along with his elder brother-Ravinder Kumar alias Babba and mother-Sheela rani was watching T.V. in his house, petitioners-Amritpal @ Pala armed with pistol, Satwant Singh armed with *kirpan*, Laddi armed with *kirpan*, Amandeep Singh armed with *kirpan*, Gopi Pulumber armed with pistol, Manga Bagihar armed with base bat, Gopi armed with *datar*, Sodhi armed with *datar*, Lovepreet Singh @ Love armed with *datar*, Amna armed with *datar*, Ninder armed with *datar* entered their house along with 10-12 other boys. Amritpal Singh @ Pala raised a *lalkara* and fired a shot towards the complainant. Thereafter, all the accused-petitioners inflicted injuries on the person of complainant, his mother-Sheela Rani and brother-Ravinder @ Baba with their respective weapons. Amritpal Singh @ Pala had torn the cloths of his mother. Satwant Singh snatched her ear rings weighing about one *tola*. In this background, the FIR was registered.

DDR No.27 dated 26.06.2013 was registered on the basis of statement made by Amritpal Singh-respondent No.2 to the effect that on 24.06.2013, when he had gone to village Pandori Tibbi Sahib to see the

festival, accused-Babba, Pindu, Ashwani, Prince, Daulti, Pardeep etc. had a scuffle with him. On the same day, at about 7.00/7.30 P.M., Babba came in front of him and fired a bullet shot, which hit on his left shoulder, as a result of which, he fell down. Therafter, Ashwani, Prince, Pardeep, Daulti, Raja, Sohan Lal, Mangat Ram etc. encircled him and inflicted injuries on his person with their respective weapons i.e. *datar, dang*, bricks etc. In this background, the DDR was registered.

During the pendency of the trial, with the intervention of respectable persons, the matter has been compromised between the parties vide compromise deed dated 30.08.2013 (Annexure P-2 in CRM-M-32010-2013).

In compliance of order dated 28.10.2013, the parties got recorded their statements before the trial Court. Report from the Additional Sessions Judge, Jalandhar, has been received in this regard. As per report, statements of the parties have been recorded to the effect that they have arrived into compromise. The compromise is voluntarily, without any pressure, coercion and with free will. They have no objection if the F.I.R is quashed.

Taking into account that the compromise has been effected between the parties and the compromise deed is dated 30.08.2013 placed on record in both the petitions, whereby the parties have decided to get the F.I.R. and DDR 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 and the judgments

passed by the Hon'ble Supreme Court in Madan Mohan Abbot vs. State of Punjab 2008(4) S.C.C. 582 and 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. 51 dated 25.06.2013, under Sections 307/459/354/323/324/427/336/148/149 IPC & Sections 25/27/54/59 of Arms Act, registered at Police Station, Nurmehal, District Jalandhar and cross case version recorded vide DDR No.27 dated 26.06.2013, under Sections 324/323/34/148/149 IPC in FIR No. 51 dated 25.06.2013, under Sections 307/459/354/323/324/427/336/148/149 IPC & Sections 25/27/54/59 of Arms Act, registered at Police Station, Nurmehal, District Jalandhar, are quashed with all consequential proceedings arising therefrom qua the petitioners.

Both the petitions stand disposed of accordingly.

(RITU BAHRI)
JUDGE

09.08.2016
ajp

Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No