

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

Crl. Misc. No.M-31158-2016 (O&M)
Date of Decision: April 19, 2017

Dilbag Singh and others

.....PETITIONER(s).

VERSUS

State of Punjab and another

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.Sarbjit Singh, Advocate
for the petitioner(s).

Mr.Ashish Sanghi, D.A.G. Punjab.

Mr.H.P.S.Ghuman, Advocate, for
Mr.G.S.Thind, Advocate,
for respondent No.3.

SURINDER GUPTA, J.(Oral)

CRM-9109-2017

This is an application to implead Balwinder Singh son of
Darshan Singh as respondent No.3.

Learned counsel for the petitioner submits that as per the
FIR, Balwinder Sigh is one of the injured witness and the matter has
already been settled with him. In view of his submissions, this application
is allowed and amended memo of parties is taken on record.

Mr.G.S.Thind, Advocate has put in appearance on behalf of
respondent No.3.

Main case

Heard.

Learned counsel for the petitioner submits that petitioner Dilbag Singh had filed a cross complaint bearing No.24497 of 2013 relating to the same occurrence wherein respondents No.2 and 3 along with their co-accused were convicted and sentenced by the trial court vide judgment dated 3.12.2015.

After the amicable settlement, Balwinder Singh and others, moved a petition bearing CRM-M-31284-2016 which was allowed on 30.11.2016 and the complaint along with all the subsequent proceedings were quashed/set aside.

He has produced copy of the judgment passed in CRM-M-31284 of 2016.

As per the compromise, copy of which has been placed as Annexure P-3, the matter has been amicably settled by the complainant and all the injured witnesses, even Balwinder Singh who has been impleaded as party today in this petition, is a signatory to that compromise.

Three persons namely Harpreet Singh son of Dilbag Singh, Gursewak Singh son of Jit Singh, Prabhdayal Singh son of Gurmail Singh who were also arrayed as accused and were declared proclaimed offender, are not party to this petition. Learned counsel for the petitioner submits that these three petitioners will face trial as and when they are apprehended by the police.

Keeping in view the fact that the proceedings in the cross case have already been quashed on the basis of compromise, this petition is allowed and FIR No.184 dated 25.9.2008 along with subsequent proceedings including the judgment of conviction passed by Judicial Magistrate, 1st Class, Amritsar, are quashed qua the petitioners.

April 19, 2017
Paritosh Kumar

(SURINDER GUPTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>