

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

Date of decision : 23.01.2018

1.

CRM-M-10249-2016

Gurpreet Singh @ Gopi and others

... Petitioners

Versus

State of Punjab and others

... Respondents

2.

CRM-M-10261-2016

Jagtar Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Manoj Kumar, Advocate
for the petitioners in CRM-M-10249-2016;
for respondents no.2 & 3 in CRM-M-10261-2016.

Mr.Bhupender Beniwal, AAG, Punjab.

Mr.L.S. Lakhanpal, Advocate
for the petitioners in CRM-M-20261-2016;
for respondents no.2 to 4 in CRM-M-10249-2016.

AMOL RATTAN SINGH, J.(ORAL)

By these two petitions, quashing of FIR No.1 dated 07.01.2015,
registered for the alleged commission of offences punishable under Sections

Patiala (Section 307 IPC deleted on 25.05.2015 by the police during investigation), as also DDR No.35 dated 07.01.2015, registered for the alleged commission of offences punishable under Sections 323, 324, 427, 148, 149 IPC, is sought, on the basis of a compromise stated to have been reached between the parties.

Vide an order of this Court dated 22.03.2016, the parties were directed to appear before the learned trial Court to get their statements recorded in terms of the compromise.

Thereafter, pursuant to an order of this Court dated 16.08.2017, passed in CRM-M-10249-2016, another report of the learned Judicial Magistrate Ist Class, Nabha, has been received, stating therein that the statement of Jagtar Singh son of Surjit Singh, i.e. the complainant in FIR no.1 dated 07.01.2015 registered at Police Station Bhadson, was recorded to the effect that he has compromised the matter with the accused in the FIR, i.e. the petitioners in CRM-M-10249-2016, and that he has no grudge left against them.

The statements of the injured-eye witnesses, Gurmeet Kaur, Harinder Singh, Jagjeet Singh and Chamkaur Singh were also recorded by that Court to the same effect. The statements of petitioners no.2 & 3 Randhir Singh and Jeet Singh were also recorded.

It is seen that in fact the aforesaid Gurmeet Kaur, Harinder Singh and Chamkaur Singh are petitioners no.2, 3 & 6 in CRM-M-10261-2016, i.e. the accused in the cross version to the original FIR, as per DDR no.35 dated 07.01.2015, also registered at Police Station Bhadson, District Patiala.

As per the assessment of the learned Magistrate, the

compromise arrived at between the parties is wholly voluntary without any coercion or pressure.

That being so and seeing that the offence under Section 307 IPC as was initially made out in FIR no. 1 dated 07.01.2015, was subsequently deleted even in the report submitted under Section 173 Cr.P.C., as admitted by all learned counsel, I see no reason to continue with criminal proceedings, the parties having fully compromised the matter of their own free will.

Consequently, the petitions are allowed and FIR No.1 dated 07.01.2015, registered at Police Station Bhadson, District Patiala, for the alleged commission of offences punishable under Sections 307, 326, 324, 323, 506, 148, 149 IPC (Section 307 IPC deleted on 25.05.2015 by the police during investigation), as also the cross case registered vide DDR No.35 dated 07.01.2015, for the alleged commission of offences punishable under Sections 323, 324, 427, 148, 149 IPC, along with all proceedings emanating therefrom, are hereby quashed.

(AMOL RATTAN SINGH)
JUDGE

January 23, 2018.

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No