

CRM-M-14596-2018
CRM-M-14602-2018

GAURAV SOROT
2018.08.08 17:38
-1-

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

1. CRM-M-14596-2018

Zora Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

2. CRM-M-14602-2018

Mohinder Singh and others

....Petitioners

Versus

State of Punjab and others

....Respondents

Date of decision:06.08.2018

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. N.S. Dandiwal, Advocate
for the petitioners (CRM-M-14596-2018)
for respondents No.2 and 3 (in CRM-M-14602-2018).

Mr. I.S. Dhaliwal, Advocate
for the petitioners (in CRM-M-14602-2018)
for respondent No.2 (in CRM-M-14596-2018).

Ms. Simranjeet Kaur, AAG, Punjab
for respondent No.1 in both cases.

GURVINDER SINGH GILL, J. (ORAL)

This order shall dispose of above mentioned two petitions for quashing of the FIR and also the cross-version in the said FIR. While the petition i.e. CRM-M-14596-2018 filed by Zora Singh and others pertains to quashing of cross-version registered vide DDR No.35 dated 19.08.2016 under Sections 324, 323, 148, 149, 506 and 326 of Indian Penal Code, 1860 in FIR No.127 dated 19.08.2016 under Sections 324, 323, 427, 447, 448, 148, 149, 506 of Indian Penal Code, 1860, Police Station Dharamkot, District Moga, the other petition i.e. CRM-M-14602-2018 titled as Mohinder Singh and others vs. State of Punjab and others pertains to quashing of the FIR.

Since both the petitions are based on factum of compromise having been effected amongst the parties, this Court vide orders dated 16.04.2018 had directed the parties to appear before the learned Trial Court/Duty Magistrate so as to get their statements recorded qua the factum of compromise.

It has been informed that while there were as many as 15 accused in the FIR case i.e. Mohinder Singh and others vs. State of Punjab out of which one accused namely Jagsir Singh has expired, there were ten accused arrayed in the cross-version case titled as Zora Singh and others vs. State of Punjab, in which two accused namely Jagroop Singh son of Zora Singh and Hardeep Singh son of Mukhtiar Singh have expired.

Separate reports in both the cases have been received from

the learned Judicial Magistrate Ist Class, Moga after recording statements of Pushpinder Singh alias Mohla - complainant in cross-version and also of 8 accused namely Zora Singh, Ran Singh, Daya Singh, Ranjodh Singh, Sukhdev Singh, Ajmer Singh, Charanjit Singh and Harpinder Singh; and also of Zora Singh - complainant and injured-Ran Singh in FIR case and of 14 accused namely Mohinder Singh, Buta Singh, Jagdeep Singh, Sukhwinder Singh, Gurinder Singh, Harmandeep Singh, Raja Singh, Mohinder Singh @ Kalu, Jagdeep Singh, Pushpinder Singh, Santokh Singh, Manjit Singh @ Bitta, Gurpreet Singh and Satwinder Singh. It has been reported that the parties have resolved the matter amongst themselves and that the compromise has been effected without any threat, pressure or coercion.

Though it has also been reported that some of the accused are also involved in other cases, but bearing in mind the fact that there are a large number of accused on both the sides who have decided to bury the hatchet and that offences are pertaining to Sections 324, 323, 326, 427, 447, 448, 506, 148, 149 etc. of Indian Penal Code, 1860, it will be in the interest of maintaining harmony between two parties who had earlier nursed enmity against each other, to permit them to compound the matter.

In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, both the petitions are hereby accepted and the cross-version i.e. DDR No.35 dated 19.08.2016 under Sections 324, 323, 148, 149, 506 and 326 of Indian Penal Code,

CRM-M-14596-2018
CRM-M-14602-2018

-4-

1860 in FIR No.127 dated 19.08.2016 under Sections 324, 323, 427, 447, 448, 148, 149, 506 of Indian Penal Code, 1860, Police Station Dharamkot, District Moga alongwith the said FIR and all the consequent proceedings arising therefrom are hereby quashed.

06.08.2018
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No