

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

**1. CRM-M-2530 of 2018
Date of decision: 08.07.2019**

Amritpal Singh and another .. Petitioners

Versus

State of Punjab and another .. Respondents

2. CRM-M-2517 of 2018

Nachhattar Singh and others .. Petitioners

Versus

State of Punjab and another .. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. K.B.S. Mann, Advocate
for the petitioners in CRM-M-2530-2018.

Mr.B.P.S. Dhindsa, Advocate
for the petitioners in CRM-M-2517-2018.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab.

SURINDER GUPTA, J.(Oral)

Above-captioned petitions have been filed under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.171 dated 18.12.2016, registered at Police Station Guru Harsahai, District Ferozepur, for offences punishable under Sections 325, 323 read with Section 34 of Indian Penal Code (for short 'IPC') and cross-case registered vide DDR No. 29 dated 21.12.2016 for offences punishable under Sections 324, 323 read with Section 34 IPC, along with all consequential proceedings arising therefrom, on the basis of the compromise dated 15.01.2018.

After filing of these petitions, parties were directed to appear before trial Court/Illaq Magistrate to record statements of complainant and accused. In report dated 19.04.2019, learned Judicial Magistrate has stated that

compromise has been arrived at between the parties, which appears to be

genuine, voluntarily and without any pressure or coercion, fear or threat. He has also enclosed copies of statements of Gurjant Singh son of Sohan Singh, Amritpal Singh and Nirmal Singh sons of Hamir Singh with his report.

In the main case, Amaritpal Singh and Nirmal Singh are accused while in cross case Nachhattar Singh, Gurjant Singh, Lakhwinder Singh and Lakhvir Singh are accused.

Nachhattar Singh, who is accused in cross-case and victim in FIR case has since died. However, in the petition (CRM-M-2517-2018) filed by him, he had alleged the compromise, copy of which has been placed on file as Annexure P-2. After filing of the petition his statement before Magistrate could not be recorded.

Learned State counsel submits that parties have effected the compromise and he has no objection if the FIR as well as cross-case are ordered to be quashed.

Keeping in view nature of offences and the fact that parties belong to same village and intend to live in peace and harmony, instant petitions are allowed and impugned FIR No.171 dated 18.12.2016, registered at Police Station Guru Harsahai, District Ferozepur, for offences punishable under Sections 325, 323 read with Section 34 of Indian Penal Code (for short 'IPC') and cross-case registered vide DDR No. 29 dated 21.12.2016 recorded for offences punishable under Sections 324, 323 read with Section 34 IPC along with all consequential proceedings arising therefrom, qua petitioners in both the petitions are quashed.

July 08, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:* *Yes/No

Whether Reportable:* *Yes/No