

Date of Decision: 03.03.2020
CRM-M-603-2020

Dalbir Singh and Ors ... Petitioners
vs.
State of Punjab and Anr .. Respondents

CRM-M-629-2020

Kunan Singh and Ors ... Petitioners
vs.
State of Punjab and Anr .. Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. B.S.Jaswal, Advocate
for the petitioners in CRM-M-603-2020 and
for respondent No.2 in CRM-M-629-2020.

Mr. Vikki Sharma, Advocate
for the petitioners in CRM-M-629-2020 and
for respondent No.2 in CRM-M-603-2020.

Mr. B.S.Sewak, Additional Advocate General, Punjab.

VIVEK PURI, J.(ORAL)

Briefly, FIR bearing No.126 dated 20.11.2019 (in CRM-M-603-2020) and DDR bearing No. 26 dated 22.11.2019 (in CRM-M-629-2020) under Sections 323/324/341/506/148 and 149 IPC have been registered at Police Station Khilchian on the allegations that on 14.11.2019, the petitioners had inflicted injuries on the person of respondent No.2.

The parties are residents of the same village and amicable settlement will help in their peaceful living and maintaining harmonious relation in future.

On 09.01.2020, notice of motion was issued and parties were directed to appear before the trial Court/Illaq Magistrate for getting their statements recorded with regard to the compromise arrived at between them.

Pursuant to above-said order dated 09.01.2020, report has been received from the Sub Divisional Judicial Magistrate, Baba Bakala Sahib,

the relevant portion whereof reads as under:-

“The report as desired by the Hon'ble High Court is as under:-

- i) In this FIR, four persons are arrayed as accused.*
- ii) No one is declared proclaimed offender according to version of the parties and investigating officer.*
- iii) After considering statements of the parties, the undersigned is of the opinion that said compromise has been entered into in between the petitioners and complainant voluntarily, out of their free will and without any pressure or coercion and the same appears to be genuine one.*
- iv) Accused are not involved in any other case as per the statement of Investigating officer.*
- v) There is only one complainant/victim in this case and he is respondent no.2 in the petition as per the statement of Investigating officer.”*

In view of said circumstances and following the Full Bench judgment of this Court in ***Kulwinder Singh and others Vs. State of Punjab and others 2007(3) R.C.R. (Criminal) 1052***, both the petitions are allowed. FIR bearing No.126 dated 20.11.2019 (in CRM-M-603-2020) and DDR bearing No.26 dated 22.11.2019 (in CRM-M-629-2020) under Sections 323/324/341/506/148 and 149 IPC registered at Police Station Khilchian and all the consequential proceedings having arisen therefrom are hereby quashed qua the petitioner(s).

Photocopy of this order be placed on the connected file.

03.03.2020
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No