

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

**Date of decision: 02.09.2020
CRM-M-25513-2020 (O&M)**

1.

Iqbal Singh

...Petitioner

Versus

The State of Punjab and another

...Respondents

2.

CRM-M-25432-2020 (O&M)

Pawan Kumar

...Petitioner

Versus

The State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Baltej Singh Sidhu, Advocate,
for the petitioner (in CRM-M-25513-2020)
and for respondent No.2 (in CRM-M-25432-2020).

Mr. Rupinderpal Singh Dhillon, Advocate,
for the petitioner (in CRM-M-25432-2020)
and for respondent No.2 (in CRM-M-25513-2020).

Mr. Hittan Nehra, Addl. A.G., Punjab.

Ritu Bahri, J.

By this common order, Crl. Misc No. M-25513 of 2020 & Crl.
Misc No. M-25432 of 2020 shall be decided together wherein prayer is for
quashing of FIR No. 114 dated 24.10.2019, under Sections
323/341/506/148/149 IPC, registered at Police Station, Khanauri, District

Sangrur (Annexure P-1) and cross version recorded vide DDR No.30 dated

24.10.2019, under Sections 323/324/341/506/148/149 IPC (Section 326 IPC added later on) in FIR No. 114 dated 24.10.2019, under Sections 323/341/506/148/149 IPC, registered at Police Station, Khanauri, District Sangrur and subsequent proceedings arising therefrom on the basis of compromise dated 29.06.2020 (Annexure P-2 in CRM-M-25513-2020 & Annexure P-3 in CRM-M-25432-2020).

F.I.R. No.114 dated 24.10.2019 was registered on the basis of statement made by Pawan Kumar-respondent No.2 (in CRM-M-25513-2020) to the effect that he was working as scrap dealer in truck market, Khanauri. On 23.10.2019, at about 04.30 P.M., he was going from Moonak to Khanauri on a motorcycle bearing No. HR-01-AQ-7725. When he reached near village Anndana, an unknown person stopped his tractor in front of him. Due to this reason, he stopped his motorcycle on the road. In the meantime, Iqbal Singh son of Bhopa Singh, armed with iron rod came there and gave a blow on the right wrist of complainant. Thereafter, some more persons came there and inflicted injuries to the complainant. They also threw his motorcycle on the ground and snatched Rs.2,43,000/- from him. He raised an alarm, upon which, many people assembled there. On seeing them, all the assailants fled away from the spot along with their respective weapons. The complainant was taken to SDH Hospital, Moonak, where he was medically examined. In this background, the FIR was registered.

DDR No.30 dated 24.10.2019 was registered on the basis of statement made by Iqbal Singh-respondent No.2 (in CRM-M-25432-2020) to the effect that on 23.10.2009, he was going towards his house on a

motorcycle, make Hero Honda Splender. At about 5.30 P.M., when he reached near villages Bopur and Anndana, Pawan Kumar son of Rameshwar Dass and Krishan Kumar waylaid him (Iqbal Singh) and inflicted injuries on his person with their respective weapons i.e. *kirpan* & stick. Thereafter, one Nanna Goel along with two unknown persons came at the spot on the call of Pawan Kumar, who gave threats to the complainant. Iqbal Singh was taken to the Civil Hospital, Sangrur, where he was medically examined. In this background, the DDR was registered.

Later on, with the intervention of respectable persons, the matter has been compromised between the parties vide compromise deed dated 29.06.2020 (Annexure P-2 in CRM-M-25513-2020 and Annexure P-3 in CRM-M-25432-2020).

Learned counsel for parties state that compromise is voluntarily, without any pressure, coercion and with free will. They have no objection if the F.I.R. and cross-version i.e. DDR No. 30 dated 24.10.2019 are quashed. Photocopies of Aadhaar Cards of Pawan Kumar and Iqbal Singh have been attached as Annexure P-3 (in CRM-M-25513-2020) and Annexure P-4 (in CRM-M-25432-2020).

Learned State counsel, on instructions from ASI Tarsem Lal, informs that in the present FIR and cross version there was no allegation with regard to commission of offence under Section 307 IPC and even during investigation, no evidence in this respect, has been found. He further states that in this case, no body has been declared as proclaimed offender and challan has not been presented so far.

Keeping in view the prevailing COVID-19 situation and the fact

that the compromise has been effected between the parties vide compromise deed dated 29.06.2020, whereby they have decided to get the F.I.R. and DDR quashed, it is a fit case where there is no impediment in the way of the Court to exercise its inherent powers under Section 482 Cr.P.C for quashing of F.I.R and D.D.R in the interest of justice. Consequently, in view of the judgments passed by the Hon'ble Supreme Court in *Madan Mohan Abbot vs. State of Punjab* 2008(4) S.C.C. 582 and the law laid down by the Full Bench of this Court in the case of *Kulwinder Singh and Ors. vs. State of Punjab and another* 2007(3) RCR (Crl.) 1052, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 114 dated 24.10.2019, under Sections 323/341/506/148/149 IPC, registered at Police Station, Khanauri, District Sangrur (Annexure P-1) and cross version recorded vide DDR No.30 dated 24.10.2019, under Sections 323/324/341/506/148/149 IPC (Section 326 IPC added later on on 24.02.2020) in FIR No. 114 dated 24.10.2019, under Sections 323/341/506/148/149 IPC, registered at Police Station, Khanauri, District Sangrur, are quashed with all consequential proceedings arising therefrom qua the petitioners.

Both the petitions i.e. Crl. Misc No. M-25513 of 2020 & Crl. Misc No. M-25432 of 2020 stand disposed of accordingly.

02.09.2020
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No