

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

CRM-M-25544-2020 (O&M)

Date of Decision:05.11.2020

Darshan Singh & another

... Petitioners

Versus

State of Punjab & another

... Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Naveen Bawa, Advocate for the petitioners.

Mr. A.S. Sandhu, Additional Advocate General, Punjab.

Mr. Vishnu Dutt, Advocate for the complainant.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.0143, dated 28.05.2020, under Sections 324/307/34 IPC, registered at Police Station Jandiala, District Amritsar Rural on the basis of compromise which as per counsel has been arrived at between the parties.

Petition had come up for preliminary hearing on 01.09.2020 and while issuing notice of motion, parties were directed to appear before the Illaqa Magistrate concerned for recording of their statements in support of the compromise and a report in such regard was called for.

Placed on record is a report dated 11.09.2020 of the Judicial Magistrate 1st Class, Amritsar and a perusal thereof would reveal that statements of the complainant (respondent No.2 herein) as also of the

accused, Darshan Singh and Avtar Singh (petitioners herein) have been recorded and it had been opined that an amicable settlement has been arrived at without any pressure, undue influence and coercion.

Statements of the parties stand appended along with the report.

Mr. Vishnu Dutt, Advocate has entered appearance on behalf of the complainant/respondent No.2 and concedes to the compromise and does not oppose the prayer made in the petition.

It may be noted that FIR had been registered in relation to an occurrence that took place on 27.05.2020. Allegations against petitioner No.1 was of having raised a *lalkara* and petitioner No.2 having delivered a *kirpan* blow on the wrist of the complainant/injured, Captain Singh.

Parties are stated to be related to each other. With the intervention of the respectables, a compromise has been entered into. Such compromise is at the very initial stage while the matter was under investigation. Prayer for quashing of FIR is liable to be accepted even as per parameters laid down by the Hon'ble Supreme Court in **Narinder Singh & others Vs. State of Punjab & another, (2014) 6 SCC 466.**

In view of the above and to ensure that peace and harmony prevails amongst the parties, who are otherwise relatives, the present petition is allowed. FIR No.0143, dated 28.05.2020, under Sections 324/307/34 IPC, registered at Police Station Jandiala, District Amritsar Rural and all proceedings emanating therefrom qua the petitioners are quashed.

Petition is allowed.

05.11.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |