

112 (02 Cases)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision : 11.09.2020

[1] CRM-M No.26122 of 2020

Tajinderpal Singh and others ...Petitioners

Versus

State of Punjab and othersRespondents

[2] CRM-M No.27320 of 2020

Sanjay Singh @ Deepa and others ...Petitioners

Versus

State of Punjab and othersRespondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Arnav Kumar Sood, Advocate for the petitioners
in CRM-M-26122 of 2020.

Mr. Abhinav Jain, Advocate for the petitioners
in CRM-M No.27320 of 2020.

B.S. Walia, J. (VC)

1. Cases are being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.

2. This order shall decide CRM-M No.26112 of 2020 titled as 'Tajinderpal Singh and others versus State of Punjab and others', as also CRM-M No.27320 of 2020 titled as 'Sanjay Singh @ Deepa and others versus State of Punjab and others'.

3. Notice of motion.

4. On the asking of the Court, Mr. Saurav Khurana, learned DAG, Punjab, accepts notice on behalf of respondent No.1 (in both cases) while Mr. Abhinav Jain, Advocate, accepts notice on behalf of respondent Nos.2 to 14 in CRM-M No.26122 of 2020 and Mr. Arnav Kumar Sood, Advocate, accepts notice on behalf of respondent Nos.2 to 5 in CRM-M No.27320 of 2020.

5. CRM-M No.26112 of 2020 has been filed, for quashing of FIR No.0109 dated 28.06.2020 registered under Sections 324, 326, 341, 506 and 34 IPC at Police Station Koom Kalan, District Ludhiana and all other subsequent proceedings arising thereto on the basis of Panchayati compromise, as well as affidavit dated 23.07.2020, duly signed by respondent No.2 i.e. Annexures P-2 & P-3, while CRM-M No.27320 of 2020 has been filed, for quashing of GDR No.029 dated 30.06.2020 registered under Sections 324, 326, 341, 506, 148 and 149 IPC at Police Station Koom Kalan, District Ludhiana and all other subsequent proceedings arising thereto on the basis of Panchayati compromise, as well as affidavit dated 24.07.2020, duly signed by respondent No.2 i.e. Annexure P-2 & P-3 in FIR No.0109 dated 28.06.2020 registered under Sections 324, 326, 341, 506 and 34 IPC at Police Station Koom Kalan, District Ludhiana.

6. Learned counsel contends that FIR No.0109 dated 28.06.2020 for the offences under Sections 324, 326, 341, 506 and 34 IPC was registered at Police Station Koom Kalan, District Ludhiana on the complaint of respondent No.2 on the allegation that on 27.06.2020 when at about 10.00

a *Mazar* of a *Peer* situated in their village, on the way near the house of Surinder Singh, Tajinderpal Singh and Ramandeep Singh sons of Satnam Singh, Sandeep Singh @ Sunny and Manpreet Singh @ Mani, sons of Kulwant Singh, all residents of Village Harian i.e. the petitioners in CRM-M No.26122 of 2020 stopped the complainant and inflicted injuries on him as well as his younger brother Vir Singh. However, with the intervention of respectable and relatives, the matter has been compromised amongst the petitioners and other aggrieved persons i.e. respondent No.2 and others in FIR No.0109 dated 28.06.2020 and in respect thereto, a Panchayati compromise has been arrived at between the parties i.e. Annexure P-2, besides affidavit of complainant-respondent No.2 dated 23.07.2020 has also been filed.

7. Likewise, CRM-M No.27320 of 2020, is qua GDR No.029 dated 30.06.2020 registered on the statement of respondent No.2 i.e. Tajinderpal Singh for the offences under Sections 324, 341, 326, 506 and 148 & 149 IPC, at Police Station Koom Kalan, District Ludhiana against the petitioners in CRM-M No.27230 of 2020 i.e. respondent Nos.2 to 14 in CRM-M No.26122 of 2020. However, with the intervention of respectable and relatives, the matter has been compromised amongst the petitioners and other aggrieved persons in respect of GDR No.029 vide Panchayati compromise (Annexure P-2) and affidavit given by respondent No.2 i.e. Annexure P-3 dated 24.07.2020.

8. Learned State Counsel, on instructions from ASI *Sukhwinder Singh*, informs the Court that apart from the aforementioned proceedings,

besides no challan has been presented till date. He further states that he has no objection, if FIR No.0109 dated 28.06.2020, for the offences under Sections 324, 326, 341, 506 and 34 IPC and GDR No.029 dated 30.06.2020 for the offences under Sections 324, 326, 341, 506, 148 and 149 IPC both registered at Police Station Koom Kalan, District Ludhiana and all consequential proceedings arising therefrom, are quashed.

9. Accordingly, keeping in view the circumstances prevailing on account of Corona Virus Pandemic, as also the fact that compromise has been effected i.e. Panchayati Compromise i.e. Annexure P-2 and affidavit Annexure P-3, both dated 23.07.2020 in CRM-M No.26122 of 2020 and Annexures P-2 & P-3 i.e. Panchayati compromise, as well as affidavit both dated 24.07.2020 in CRM-M No.27320 of 2020, whereby parties have decided to get FIR No.0109 dated 28.06.2020 for the offences under Sections 324, 326, 341, 506 and 34 IPC, as well as GDR No.029 dated 30.06.2020 for the offences under Sections 324, 326, 341, 506, 148 & 149 IPC both registered at Police Station Koom Kalan, District Ludhiana, quashed, there is no impediment in the way of the Court to exercise its inherent powers under Section 482 Cr.P.C. for quashing of the said FIR, as also GDR in the interest of justice in view of the decision of this Court in **'Kulwinder Singhand Others' versus 'State of Punjab and Others'** 2007(3) RCR (Crl.) 1052 as no useful purpose would be served by prolonging the litigation.

10. Accordingly, on the basis of Panchayati compromise, as well as affidavit dated 23.07.2020 (i.e. Annexures P-2 & P-3), FIR No.0109 dated

CRM-M No.26122 of 2020 and [5]
CRM-M No.27320 of 2020

Police Station Koom Kalan, District Ludhiana and on the basis of Panchayati compromise, as well as affidavit dated 24.07.2020 i.e. Annexures P-2 & P-3 GDR No.029 dated 30.06.2020 registered under Sections 324, 326, 341, 506, 148 and 149 IPC at Police Station Koom Kalan, District Ludhiana and all other subsequent proceedings arising therefrom *qua* petitioners in the respective cases are quashed.

11. CRM-M No.26112 of 2020 and CRM-M No.27320 of 2020 stand ***disposed of*** in the aforementioned terms.

September 11, 2020
(B.S. Walia)
Judge
'Rajneesh-Amit'

Whether speaking/ reasoned : Yes/No
Whether reportable : Yes/No