

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

CRM-M-26817-2020 (O&M)

Date of decision: 13.10.2020

**Gagandeep Singh alias Sabi and others
Versus**

...Petitioners

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Prince Sharma, Advocate,
for the petitioners.

Mr. M.S. Dullat, Addl. A.G., Punjab.

Mr. D.K. Arora, Advocate,
for the complainant (respondent No.2).

Ritu Bahri, J.

Status report by way of affidavit of Deputy Superintendent of Police, Sub Division, Patti, District Tarn Taran, has been filed through email. Same is taken on record.

Quashing of FIR No. 195 dated 20.10.2019, under Sections 353/295-A/186/332/148/149 IPC, registered at Police Station, City Patti, District Tarn Taran (Annexure P-1) and subsequent proceedings arising therefrom, are being sought on the basis of compromise dated 21.07.2020 (Annexure P-2).

FIR (Annexure P-1) was registered on the basis of statement made by Manjinder Singh-respondent No.2 to the effect that he was posted as AJE at Punjab State Power Cororation Limited, City Sub Division, Patti. On 19.10.2019, he along with Gurjit Singh, ALM and Kata Parsad, ALM, was going from his office for doing some official work. When they reached near Tara Wale School, in the meantime, Sabbi son of Surjit Singh and Jannu-

petitioners along with 15/20 other persons stopped them. Thereafter, they removed the turban of the complainant and inflicted injuries on his person with baseball. They took the keys of his bike and office and ran away from the place of occurrence with their respective weapons. The complainant was got admittted at Civil Hospital, Patti, where he was medically examined. In this background, the FIR was registered.

Now, with the intervention of respectable persons, the matter has been compromised between the parties vide compromise deed dated 21.07.2020 (Annexure P-2), which has been duly signed by complainant-Manjinder Singh (respondent No.2) as well as petitioners Gagandeep Singh alias Sabi, Harman Sekhon and Diljan Singh alias Janu. In this regard, Manjinder Singh-respondent No.2 (complainant) has also given an affidavit dated 21.07.2020 (Annexure P-3), whereby he has admitted the contents of compromise.

Learned State counsel, on instructions, informs that the compromise has been effected between the parties. This fact has also been mentioned in the status report, which has been filed through email in this Court. In this status report, it has been stated that respondent No.2 has got recorded his statement on 06.10.2020 to the effect that he does not want to take any action against the petitioners as he has compromised the matter with them. Further, he has no objection if the FIR (Annexure P-1) is quashed. Learned counsel for complainant-Manjinder Singh (respondent No.2) has also put in appearance and states that as per compromise dated 21.07.2020 (Annexure P-2), the matter has been amicably resolved between the parties.

A perusal of the compromise deed dated 21.07.2020 (Annexure P-2) and affidavit dated 21.07.2020 (Annexure P-3) given by Manjinder Singh-complainant, shows that compromise has been effected voluntarily, without any pressure, coercion and with free will of the parties. They have no objection if the F.I.R. (Annexure P-1) is quashed. Photocopy of Aadhaar card of Manjinder Singh-complainant (respondent No.2), which has been received today through email, is taken on record as Annexure P-4.

Keeping in view the prevailing COVID-19 situation and the fact that the compromise has been effected between the parties vide compromise deed dated 21.07.2020 (Annexure P-2), whereby they have decided to get the F.I.R. 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 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. 195 dated 20.10.2019, under Sections 353/295-A/186/332/148/149 IPC, registered at Police Station, City Patti, District Tarn Taran, is quashed with all consequential proceedings arising therefrom qua the present petitioners.

Petition stands allowed accordingly.

13.10.2020
ajp

(RITU BAHRI)
JUDGE

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