

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

SMRITI
2020.03.06 11:50
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**Date of Decision: 02.03.2020
CRM-M-27798-2019**

Gurmeet Singh and Another ... Petitioners
vs.
State of Punjab and Another .. Respondents

CRM-M-27777-2019

Sukhdev Singh and Others ... Petitioners
vs.
State of Punjab and Others .. Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Prateek Pandit, Advocate
for the petitioners in CRM-M-27798-2019 and
for respondents No. 2 and 3 in CRM-M-27777-2019.

Mr. Barjinder Singh, Advocate for
Mr. Nitin Rampal, Advocate
for the petitioners in CRM-M-27777-2019 and
for respondent No.2 in CRM-M-27798-2019.

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

VIVEK PURI, J.(ORAL)

Briefly, FIR bearing No. 356 dated 27.11.2017 under Sections 324/326 read with Section 34 IPC has been registered at Police Station Kotwali, Kapurthala (in CRM-M-27798-2019) on the basis of the statement of Sukhdev Singh wherein the injuries have been alleged to be inflicted upon him by Gurmeet Singh and Shinder Kaur.

The DDR bearing No. 29 dated 27.11.2017 under Sections 323/324/326 read with Section 34 IPC has been registered at Police Station Kotwali, Kapurthala (in CRM-M-27777-2019) on the basis of statement of Shinder Kaur on the allegations that injuries were inflicted upon her by Sukhdev Singh, Navjot Singh and Dalbir Kaur. Accordingly, it is a case of version and cross-version.

It has been stated that a compromise has been effected between the parties. Sukhdev Singh and Gurmeet Singh are the brothers, as such, both the parties are near relatives.

On 03.07.2019, 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 03.07.2019, report has been received from the learned Judicial Magistrate 1st Class, Kapurthala and as per the same, the compromise has been amicably effected between the parties with the intervention of the respectables, voluntarily, without any undue influence, in order to keep peace, harmony, love and affection with each other and the same has been stated to be genuine one. It has also been reported that there is neither any other person arrayed as accused nor any one has been declared proclaimed offender. None of the accused in both the cases is involved in any other case.

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. 356 dated 27.11.2017 under Sections 324/326 read with Section 34 IPC registered at Police Station Kotwali, Kapurthala (in CRM-M-27798-2019) and DDR bearing No. 29 dated 27.11.2017 under Sections 323/324/326 read with Section 34 IPC registered at Police Station Kotwali, Kapurthala (in CRM-M-27777-2019) and all the subsequent proceedings having arisen therefrom are hereby quashed qua the petitioner(s).

Photocopy of this order be placed on the connected file.

(VIVEK PURI)
JUDGE

02.03.2020
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No