

CRM-M-31767-2020

Date of Decision: 07.12.2020

Gurwinder Singh @ Gindu and others

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Sahil Puri, Advocate,
for the petitioners.

Mr. Sarabjit Singh Cheema, A.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

This petition has been filed seeking quashing on the basis of a settlement/compromise arrived at between the petitioners and respondents no.2 and 3, of FIR No. 293, dated 10.10.2019, registered at Police Station City, District Kapurthala, alleging therein the commission of offences punishable under Sections 341, 323, 506, 148 and 149 of the IPC, as also the cross version thereto (bearing GD no.46), alleging therein the commission of offences punishable under Sections 323, 326, 341 and 34 of the IPC, (as also all other subsequent proceedings arising therefrom). A copy of the compromise deed has been annexed as Annexure P-3 with the petition.

Pursuant to the order dated 08.10.2020, a report of the learned Chief Judicial Magistrate, dated 11.11.2020, has been received, stating there that all persons involved in the occurrence, including the accused and the complainant, got recorded their statements in terms of the compromise stated to

have been reached between them, and as per the assessment of that court, the compromise has been entered into of the free will of the parties without any pressure or coercion.

It has also been stated that there is no other person found to be involved in the alleged commission of the offences, whose consent would be required for quashing the FIR (if this court considers it appropriate to do so).

That being so, even though a grievous injury is alleged to have been caused in one case, but with the matter having been amicably settled between the parties, the petition is allowed and FIR no.293 dated 10.10.2019, registered at Police Station City, District Kapurthala, alleging therein the commission of offences punishable under Sections 341, 323, 506, 148 and 149 of the IPC, as also the cross version thereto (bearing GD no.46), alleging therein the commission of offences punishable under Sections 323, 326, 341 and 34 of the IPC, along with all proceedings emanating therefrom, are hereby quashed.

December 07, 2020
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.