

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

**CRM-24208-2020 in/and
CRM-M-33133-2019
Date of decision: 08.10.2020**

Sh. Tarsem Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Tejwinder Singh Hundal, Advocate,
for applicant-petitioners.

Ritu Bahri, J.

CRM-24208-2020

Notice.

On the asking of the Court, Mr. M.S. Dullat, Addl. A.G., Punjab, accepts notice on behalf of respondent-State and Mr. Nirmaljit Sidhu, Advocate, accepts notice on behalf of the complainant. They have no objection in allowing this application.

In view of the said fact, present application is allowed; the main petition i.e. **CRM-M-33133-2019** is preponed and taken up today itself.

CRM-M-33133-2019

Quashing of FIR No. 39 dated 20.06.2019, under Sections 447/511/506/148/149 IPC, registered at Police Station, Aur, District S.B.S.

Nagar (Annexure P-1) and subsequent proceedings arising therefrom, are

being sought on the basis of compromise dated 27.06.2019 (Annexure P-2).

FIR (Annexure P-1) was registered on the basis of statement made by Mangat Rai-respondent No.2 to the effect that on 18.06.2019, at about 7.00 A.M., he visited his fields for doing agriculture work, where he found that Tarsem Singh and Deepa @ Jagdeep Singh (petitioner Nos.1 and 2) were ploughing his fields by driving their respective tractors. Charanjit Singh-petitioner No.3, who was a Member Panchayat, was standing nearby and was helping them (petitioner Nos.1 and 2) in taking illegal possession of the fields of complainant. About 8-10 unknown persons with muffled faces, were also present at the spot in a black coloured Tata Safari bearing registration No. PB-32-G-0675. Thereafter, complainant called his nephew Ravi Kumar through mobile phone and informed him about this incident, who reported the matter to the police. Thereafter, police came at the spot. On seeing the police, all the accused-petitioners along with other persons, fled away from the spot along with their respective weapons. While leaving the spot, they also extended threats to the complainant. In this background, the FIR was registered.

Later on, during the stage of investigation, with the intervention of respectable persons, the matter has been compromised between the parties vide compromise deed dated 27.06.2019 (Annexure P-2), which has been duly signed by complainant-Mangat Rai (respondent No.2) as well as the present petitioners.

In compliance with the order dated 14.11.2019 passed by this Court, parties got recorded their statements before the Illaqa Magistrate/Trial Court. Report from the Additional Chief Judicial

Magistrate, Shaheed Bhagat Singh Nagar, has been received in this regard. As per report, Mangat Rai-respondent No.2 (complainant) made his statement on 11.12.2019 to the effect that with the intervention of respectable persons, he has compromised the matter with Tarsem Singh, Jagdeep Singh @ Deepa and Charanjit Singh @ Charna-petitioners as per compromise Ex.RD and Ex.RE at his own will and without any coercion or pressure. He has no objection if, the above said FIR is quashed. Joint statement of Tarsem Singh, Jagdeep Singh and Charanjit Singh @ Charna-petitioners was also recorded to the same effect. In view of separate statements of the parties, the court is satisfied that the compromise is valid and genuine one. Photocopy of Aadhaar card of Mangat Rai-complainant (respondent No.2) has been attached as Annexure P-3.

Keeping in view the prevailing COVID-19 situation and the fact that the compromise has been effected between the parties vide compromise deed dated 27.06.2019 (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. 39 dated 20.06.2019, under Sections 447/511/506/148/149 IPC, registered at Police Station, Aur, District S.B.S.

Nagar, is quashed with all consequential proceedings arising therefrom qua the present petitioners.

Petition stands allowed accordingly.

08.10.2020
ajp

(RITU BAHRI)
JUDGE

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