

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

(1.)

CRM-M-27364-2017.
Date of Decision:-15.12.2020.

Parveen Kumar @ Rocki and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

(2.)

CRM-M-39110-2017.

Gurpreet Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

(3.)

CRM-M-40616-2017.

Amarjit Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

(4.)

CRM-M-40915-2017 (O&M).

Gagandeep Singh Grewal and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Gagandeep Jammu, Advocate for the petitioners
in CRM-M-27364-2017.

Mr. Chetan Bansal, Advocate for the petitioners in
CRM-M-40915-2017.

Ms. Amanpreet Kaur Sabharwal, Advocate for the petitioners in
CRM-M-39110-2017 and CRM-M-40616-2017.

Mr. Amar Ashok Pathak, Additional A.G., Punjab.

Mr. A.P.S. Deol, Senior Advocate with
Mr. Vishal Lamba, Advocate for respondent No.2.

SANJAY KUMAR, J. (Oral)

These petitions filed under Section 482 Cr.P.C. are amenable to
disposal by a common order.

Complaint No.31 dated 20.11.2013 was filed by Sukhpal Singh,
the second respondent in these cases, under Sections 307, 336, 148 and 149
IPC along with Sections 25 and 27 of the Arms Act, 1959, before the
learned Judicial Magistrate First Class, Phul, District Bathinda.

By order dated 06.07.2017, the learned Magistrate summoned the accused therein to face trial. Aggrieved thereby, 05 of the 16 accused filed CRM-M-40915-2017 to quash the subject complaint and the summoning order passed therein. 02 other accused filed CRM-M-40616-2017 while 03 others filed CRM-M-39110-2017 for the same relief. CRM-M-27364-2017 was filed by 02 of the remaining accused with a similar prayer. Interim orders were granted in all these cases directing the trial Court to adjourn the matter pending before it.

While matters stood thus, it appears that Sukhpal Singh, the complainant, resolved his differences with the accused in the complaint case and reduced the same to writing, by way of compromise deed dated 05.09.2020. When this fact was brought to the notice of this Court, the parties were directed to appear before the trial Court to get their statements recorded in relation to the settlement of their disputes. Pursuant to such an exercise, the learned Additional Sessions Judge, Bathinda, submitted Report dated 02.12.2020, wherein she recorded the statement of Sukhpal Singh, the complainant, that the complaint case was the result of party factions and that no firing had taken place, in fact, during the quarrel between supporters of the rival parties. He further stated that it was a petty dispute during the pre-election period in which no injury was sustained by any person. He also affirmed that a compromise had been effected in relation to the cross-version case in FIR No.04 dated 11.01.2012 on the file of Police Station Dayalpura, District Bathinda, registered under Sections 307, 382, 341, 506, 427, 148 and 149 IPC along with Sections 25 and 27 of the Arms

Act, 1959. The accused also got their statements recorded wherein they acknowledged the compromise. The learned Additional sessions Judge concluded by stating that she was satisfied that the compromise had been entered into by the parties voluntarily, without coercion and undue influence, and was therefore genuine.

This Court is further informed that by order dated 11.12.2020 passed in **CRM-M-37726-2020**, titled **'Gurpreet Singh Kanger and others Vs. State of Punjab and others'**, this Court quashed FIR No.04 dated 11.01.2012 on the file of Police Station Dayalpura, along with all proceedings arising therefrom.

In the light of the above developments, no cause remains for the trial Court to invest further time and effort in adjudicating this complaint case. Politicians would be well advised not to abuse the process of the Court to settle their pre-election issues and disputes. With this word of caution, which will optimistically yield the required result at least in future, these petitions are allowed quashing Complaint No.31 dated 20.11.2013 on the file of the learned Judicial Magistrate First Class, Phul, District Bathinda, and the summoning order dated 06.07.2017 passed therein.

Pending miscellaneous applications shall stand closed.

(SANJAY KUMAR)
JUDGE

December 15, 2020.

sandeep

Whether speaking/reasoned:-

Whether reportable:-

Yes / No

Yes / No.