

CRM-M-2929-2021

Date of Decision: 02.09.2021

Tarvinder Singh @ Tarwinder Singh and others

.....Petitioners

vs.

State of Punjab and others

.....Respondents

206-2

CRM-M-2931-2021

Sukhchain Singh and others

...Petitioners

vs.

State of Punjab and others

...Respondents

206-3

CRM-M-55413-2019

Avtar Singh

....Petitioner

vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Sunny K. Singla, Advocate,
for the petitioners (in CRM-M-2929-2021),
for the petitioner (in CRM-M-55413-2019) and
respondents no. 2 and 3 (in CRM-M-2931-2021).

Mr. Mahipal Singh Yadav, Advocate,
for the petitioners (in CRM-M-2931-2021) and
respondents no. 2 to 4 (in CRM-M-2929-2021).

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

CRM-M-2929-2021 and CRM-M-2931-2021

Vide CRM-M-2929 of 2021, the petitioners seek quashing of

FIR no.132 dated 1.11.2019, registered at Police Station Longowal, District Sangrur, for the alleged commission of offences punishable under Sections 323/324/34 of the IPC (with Section 326 of the IPC having been added later), as also all other subsequent proceedings arising therefrom, on the basis of a compromise arrived at between the petitioners and respondents no.2 to 4. Copies of the compromise deed and an affidavit of Sukhchain Singh (respondent no.2) have been annexed as Annexures P-3 and P-4 respectively with the petition.

Vide CRM-M-2931 of 2021, the petitioners seek quashing of the cross case, bearing GD no.38 dated 1.11.2019, registered at the same police station for the alleged commission of offences punishable under Sections 323/324/34 of the IPC, as also all other subsequent proceedings arising therefrom, on the basis of such compromise arrived at between the petitioners and respondents no.2 and 3. Copies of the compromise deed and an affidavit of Tarwinder Singh (respondent no.2) have been annexed as Annexures P-3 and P-4 respectively with this petition also.

Pursuant to the order of this court dated 22.01.2021, the report of the learned Judicial Magistrate First Class, Sangrur, dated 18.02.2021, is on record, stating therein that as regards the FIR in question, the joint statements of Sukhchain Singh, Ravneet Singh and Karampreet Kaur, i.e. the complainant and the injured, were recorded before that court to the effect that the matter has been compromised with the accused, (i.e. the petitioners in CRM-M-2929-2021), with a joint statement of the accused also having been recorded before that court, to the same effect.

Similarly, the statements of the complainants in the cross case registered vide GD no. 38, i.e. Tarvinder Singh @ Tarwinder Singh and Avtar Singh, were recorded, as were the statements of the accused in the said cross-case, i.e. the petitioners in CRM-M-2931-2021.

The statement of the investigating officer was also recorded before that court, to the effect that other than the aforesaid persons, no other person was involved in the occurrence and no other criminal case was pending against any of them.

As per the assessment of that court, the compromise arrived at between the parties was genuine and of their own free will.

That being so, even though an offence punishable under the provisions of Section 326 of the IPC is shown to have been made out as regards the FIR, however, it being a case of a version of an occurrence and a cross-version thereto, and with learned State counsel also submitting that as per his instructions it arises essentially from a matrimonial dispute, both these petition are allowed and FIR no.132 dated 1.11.2019, registered at Police Station Longowal, District Sangrur, for the alleged commission of offences punishable under Sections 323/324/34 of the IPC, (with Section 326 of the IPC having been added later), and GD no.38 dated 1.11.2019, registered at the same police station, for the alleged commission of offences punishable under Sections 323/324/34 of the IPC, along with all proceedings emanating therefrom, are hereby quashed.

CRM-M-55413-2019

By this petition, the petitioner seeks the concession of 'pre-arrest bail', upon FIR No. 132 having been registered at Police Station Longowal,

District Sangrur, on 01.11.2019, alleging therein the commission of offences punishable under the provisions of Section 324/323/34 of the IPC (with Section 326 of the IPC having been added later).

In view of the fact that the FIR in question has already been quashed hereinabove, this petition has been rendered infructuous and is disposed of as such.

September 02, 2021
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.