

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

307

CRM-M-10873-2021

DATE OF DECISION: 20.04.2021

MANDEEP SINGH AND ORS

... Petitioner(s)

Versus

STATE OF PUNJAB AND ORS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Baltej Singh Sidhu, Advocate for the petitioners.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. S.S. Badal, Advocate for respondents No.2 to 8.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioners are seeking quashing of FIR No.295 dated 14.11.2020, under Sections 354, 341, 323, 506, 509 and 34 IPC (Sections 3(1) (g) (r) (s), 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act) 1989 and Section 148, 149 IPC enhanced vide rapat No.38 dated 20.11.2020, registered at Police Station Kotbhai, District Sri Muktsar Sahib on the basis of compromise dated 23.02.2021 (Annexure P-2), which has been arrived at between the parties.

Learned counsel for the petitioners contends that the FIR is an outcome of a sudden quarrel between the parties who are residents of the same village. The matter has now been compromised. He also contends that contents of the FIR do not constitute a *prima facie* case under the SC & ST Act. He has referred to the copy of the compromise which is annexed as Annexure P-2.

The coordinate Bench of this Court, vide order dated 09.03.2021 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements and send a report as to whether the compromise has been arrived at without any coercion or undue influence. The report of the JMIC, Gidderbaha dated 25.03.2021 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded which indicates that compromise which has been effected is genuine, voluntary and without undue influence.

Heard.

The FIR is an outcome of a sudden quarrel between the parties who are residents of the same village and the matter has been compromised.

In view of the law laid down by the Supreme Court in the case of **Narinder Singh vs. State of Punjab 2014 (6) SCC 466**, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.295 dated 14.11.2020, under Sections 354, 341, 323, 506, 509 and 34 IPC (Sections 3(1) (g) (r) (s), 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act) 1989 and Section 148, 149 IPC enhanced vide rapat No.38 dated 20.11.2020 registered at Police Station Division No.7, Jalandhar and all consequential proceedings are hereby quashed qua the petitioners.

(ANUPINDER SINGH GREWAL)
JUDGE

20.04.2021

SwarnjitS

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No