

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.10751 of 2020
Date of Decision :13.08.2021

Jagtar Singh and others

.....Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE

Present : Mr. Jaswinder Singh Grewal, Advocate for the petitioners.
Mr. Jaspreet Kaur, AAG, Punjab.
Mr.Piyush Sharma , Advocate for respondent No.2.
(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual Court)

ARUN PALLI, J. (Oral):

Vide this petition under Section 482 of Cr.P.C, the petitioners are praying for quashing of DDR No.34 dated 12.10.2019, under Sections 341, 506, 427, 148 and 149 of IPC entered in FIR No.205 dated 07.10.2019, registered at Police Station Sadar Ferozepur, District Ferozepur and all consequential proceedings, for, the dispute between the parties stands resolved and a compromise by way of affidavit dated 29.02.2020 (Annexure P-2), has since been furnished.

Vide order dated 13.03.2020, a Co-ordinate Bench of this Court had required the parties to appear before the trial Court/Illaqua Magistrate on 20.03.2020, to have their statements recorded as regards the execution and veracity of the alleged settlement/compromise. And, the trial Court was directed to submit a report in terms of the said order.

Accordingly, vide letter No.97 dated 28.01.2021, the report

along with the statements of the parties in original has been submitted by the Additional Chief Judicial Magistrate, Ferozepur, which reads thus:-

“In CRM No.30498 of 2020 in CRM-M-10751 of 2020 titled as “Jagtar Singh and others Vs. State of Pb and another”, respondent/complainant namely Gurjant Singh son of Sucha Singh, resident of Basti Sabuana, Village Langeana, Tehsil and District Ferozepur suffered statement to the effect that he has effected compromise with the petitioners/accused namely Jagtar Singh son of Ajit Singh; Karj Singh son of Ajit Singh; Harbans Singh son of Ajit Singh; Malkiat Singh son of Karj Singh; Gurpreet Singh son of Karj Singh; Harmeet Singh son of Karj Singh; Parmajit Kaur daughter of Karj Singh; Lakhvir Kaur wife of Karj Sigh; Kiranjot Kaur daughter of Jagtar Singh; all residents of Basti Miyan Wali, Village Langeana, Tehsil and District Ferozepur in case DDR No.34 dated 12.10.2019 registered under Sections 341, 506, 427, 148, 149 IPC entered in FIR No.205 dated 07.10.2019, registered at PS Sadar, Ferozepur District Ferozepur voluntarily with the intervention of respectables of locality without any inducement, threat, pressure or coercion. He stated that he has no objection if the present DDR is quashed. He has been identified by Sh.Mehar Singh, Advocate.

Accused/petitioners namely Jagtar Singh son of Ajit Singh; Karj Singh son of Ajit Singh; Harbans Singh son of Ajit Singh; Malkiat Singh son of Karj Singh; Gurpreet Singh son of Karj Singh; Harmeet Singh son of Karj Singh; Paramjit Kaur daughter of Karj Singh; Lakhvir Kaur wife of Karj Singh; Kironjot Kaur daughter of Jagtar Singh; all residents of Basti Miyan Wali, Village Langeana, Tehsil and District Ferozepur also suffered joint statement to the effect that they have effected compromise

with the complainant/respondent namely Gurjant Singh son of Sucha Singh, resident of Basti Sabuana, Village Langeana, Tehsil and District Ferozepur in case DDR No.34 dated 12.10.2019 registered under Sections 341, 506, 427, 148, 149 IPC entered in FIR No.205 dated 07.10.2019, registered at PS Sadar, Ferozepur District Ferozepur voluntarily with the intervention of respectables of locality without any inducement, threat, pressure or coercion. They further stated that they are the only accused in the present FIR and that none of the accused has been declared proclaimed offender in the present FIR and further that they are not involved in any other case except the present FIR. They have placed on record copies of their Adhar Cards and have also been identified by Sh.Rajan Chander, Advocate.

From the aforesaid statements, the undersigned is satisfied that the statements of the parties are bona fide and are not result of any pressure or coercion etc. in any manner and that the compromise effected between the parties is genuine and valid. It is further submitted that none of the accused persons have been declared proclaimed offender in the present FIR or DDR neither they are involved in any other case”.

In the wake of the above and upon being pointedly asked, even the learned State counsel submits that State would have no objection if the DDR (ibid) is quashed.

At this stage, it would be apposite to even refer to the decision of the Supreme Court in **Gian Singh Vs. State of Punjab and Another 2012 (10) SCC 303** and also the judgment of this Court in **Kulwinder Singh and others Vs. State of Punjab and another, 2007 (3) RCR**

(criminal) 1052, wherein it was concluded that in matters concerning non-compoundable offences, if the parties have reached a compromise, this Court has wide powers under Section 482 of Cr.P.C. to quash the proceedings to secure the ends of justice.

Accordingly, the petition is allowed. DDR No.34 dated 12.10.2019, under Sections 341, 506, 427, 148 and 149 of IPC entered in FIR No.205 dated 07.10.2019, registered at Police Station Sadar Ferozepur, District Ferozepur and all consequential proceedings arising therefrom, are quashed.

(ARUN PALLI)
JUDGE

13.08.2021

Manoj Bhutani

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