

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

CRM-M-26933-2020

Date of Decision:05.02.2021

Manjeet Singh and others	Petitioners
Vs.	
State of Punjab and another	Respondents

CRM-M-27757-2020

Gurmeet Singh and others	Petitioners
Vs.	
State of Punjab and another	Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Jagpal Singh, Advocate,
for the petitioners in CRM-M-26933-2020
for respondent no.2 in CRM-M-27757-2020

Mr. M.L.Saini, Advocate,
for the petitioners in CRM-M-27757-2020
for respondent no.2 in CRM-M-26933-2020

Mr. Ramdeep Partap Singh, DAG, Punjab.

AMOL RATTAN SINGH, J. (Oral)

Case heard by video conference.

By these petitions, the petitioners seek quashing of FIR No.0077, dated 28.04.2019, registered at Police Station City, Rupnagar, alleging therein the commission of offences punishable under Sections 323, 324, 452, 506, 148 and 149 of the IPC, as also the cross-version thereto bearing DDR no.46, dated 08.05.2019, registered at the same police station, alleging therein the commission of offences punishable under Sections 323, 448, 511, 148, 149 and 506 of the IPC, and all other subsequent proceedings arising therefrom, on the basis of a compromise dated 22.07.2020 (Annexure P-2), stated to have been arrived at between the petitioners and respondent no.2 in each petition.

Pursuant to the order of this court dated 21.09.2020, the report of the Chief Judicial Magistrate, Rupnagar, dated 14.10.2020, is on record, stating therein that the parties, i.e. the complainant Sanjeev Kaur (in the FIR) as also the accused Manjeet Singh Mangat, Kulwinder Kaur, Amanpreet Kaur Mangat, Rajinder Kaur alias Roma and Amandeep Singh (petitioners in CRM-M-26933-2020), were recorded, (with Manjeet Singh Mangat being the complainant in the cross-version to the FIR, i.e. respondent no.2, and with Gurmeet Singh, Sanjeev Kaur, Hardeep Kaur, Lakhvir Singh, Harmanpreet Singh Mundra, Ranjit Kumar, Satwinder Kaur, Jaswinder Kumar and Deepika Saini, being the petitioners in CRM-M-27757-2020).

The learned Chief Judicial Magistrate, has stated that as per the said statements, the parties thereto have compromised the both matters, i.e. the occurrence as recorded in the FIR as also the occurrence as recorded in the Daily Diary Report (i.e. the cross-case bearing DDR no. 46, dated 08.05.2019), with the assessment of that court being that the compromise has been arrived at voluntarily and without any pressure and coercion.

However, it is to be noticed that the statements of the accused in CRM-M-27757-2020 are not stated to have been recorded (in the report at least), though in the compromise deed dated 22.07.2020 (Annexure P-2 with the said petition), the signatories thereto are seen to be all the petitioners in the said petition as also respondent no.2, i.e. Manjeet Singh son of Darshan Singh, alongwith Kulwinder Kaur, Amanpreet Kaur, Roma and Aman (petitioners in CRM-M-26933-2020).

Thus, though the names of the petitioners in the said petition are not specifically mentioned in the report of the CJM (which correctly should have been mentioned), however even Mr.Jagpal Singh, learned counsel appearing for respondent no.2 in CRM-M-27757-2020, submits that the matter has been compromised between all parties on both sides, i.e. the accused in the FIR as also the accused in the complaint case and consequently, all parties are *ad idem* that the FIR can be quashed on the basis of the settlement reached between them.

That being so, looking at the nature of the offences alleged to have been committed, as given in the FIR and the cross-version thereto, I would see no reason to not allow these petitions, which are consequently allowed, and FIR No.0077, dated 28.04.2019, registered at Police Station City, Rupnagar, alleging therein the commission of offences punishable under Sections 323, 324, 452, 506, 148 and 149 of the IPC, as also the cross-version thereto, bearing DDR no.46, dated 08.05.2019, registered at the same police station, alleging therein the commission of offences punishable under Sections 323, 448, 511, 148, 149 and 506 of the IPC, along with all proceedings emanating therefrom, are hereby quashed.

A photocopy of this order be placed on the file of the connected case.

February 05, 2021

dharamvir

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned : YES/NO

Whether Reportable : YES/NO