

CRM-26627 of 2021 and
CRM-M-28265 of 2019 (O&M) and another

1

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

Date of decision:31.8.2021

1. CRM-26627 of 2021 and
CRM-M-28265 of 2019 (O&M)

Harsimranjit Singh and others

... Petitioners

versus

State of Punjab and others

... Respondents

2. CRM-26626 of 2021 and
CRM-M-28287 of 2019 (O&M)

Ranjit Singh @ Sunny and others

... Petitioners

versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.L.M.Gulati, Advocate,
for the applicants-petitioners
(in CRM-26627 of 2021 in CRM-M-28265 of 2019)
Ms.Jasneet Mehta, Advocate,
for the applicants-petitioners
(in CRM-26626 of 2021 in CRM-M-28287 of 2019)
...

AMOL RATTAN SINGH, J. (Oral)

Cases heard via video conferencing.

CRM-26627 of 2021 in CRM-M-28265 of 2019 and
CRM-26626 of 2021 in CRM-M-28287 of 2019

Vide these applications, the petitioners in both the accompanying petitions seek advancement of the date of hearing in the petitions by which the FIR in question and the cross-version registered thereto are both sought to be quashed, on the basis of a compromise stated to have been reached between the parties.

Notice in the applications.

Mr.Rana Harjasdeep Singh, learned DAG, Punjab, accepts notice at the asking of the court on behalf of the respondent-State in each case, with learned counsel for the petitioners in each case accepting notice on behalf of the 'private respondents' in each case, for obvious reasons.

It is seen that pursuant to the orders of this court dated 15.10.2019 and 6.1.2020, the reports of the learned SDJM, Khadur Sahib, dated 4.5.2020, have been received.

In the context of the FIR, it has been stated that the complainant in the FIR, i.e. respondent no.2 in CRM-M no.28265 of 2019, as also Davinder Pal Singh, i.e. respondent no.3, appeared before that court as did the petitioners therein and recorded the statements to the effect that they have compromised the matter with each other, with the investigating officer also having stated before that court that none of the accused were declared to be proclaimed offenders and that none of them was involved in any other criminal case registered.

Similarly, as regards the cross case registered also, it is stated that 5 persons were arraigned as accused in the matter vide GD no.8 dated 18.5.2019, and that the complainant in the cross case, i.e. respondent no.2 in CRM-M no.28287 of 2019, as also respondent no.3, Gagandeep Singh, appeared before that court along with accused in the cross-version, i.e. the 5 petitioners in the said petition, and recorded statements to similar effect, as did the investigating officer.

As per the opinion of that court, the compromise arrived at between the parties is voluntary and genuine, without any coercion or undue

influence.

A perusal of the FIR shows (with learned counsel for the petitioners in each case confirming), that other than the persons shown to be injured as per the FIR and cross-version thereto, and the accused in each case, no other person is involved in the matter whose consent for the compromise would be required to quash the proceedings in question if this court comes to that conclusion.

In view of the above, the applications are allowed and the date of hearing in the accompanying petitions is advanced to today itself.

CRM-M-28265 of 2019 and CRM-M-28287 of 2019

Though otherwise a perusal of the FIR would show that petitioner no.1, Harsimranjit Singh, is also alleged to have taken out a licenced revolver and had given threats, however, no offence punishable under the provisions of the Arms Act, 1959, is shown to have been included in the FIR in question.

Learned State counsel also confirms the same upon instructions received by him.

It is also to be observed by this court that though serious offences are shown to have been committed as per the FIR and the cross-version thereto, which actually would go against the fabric of any civilized society, yet, looking at the fact that there is no other criminal case stated to have been registered against the accused in either case (as per the statement made before the learned SDJM by the investigating officer), and the matter has been amicably compromised, this court, with the pious hope that the accused in each case would not in future indulge in criminal activities, the

petitions are allowed and FIR no.77 dated 16.5.2019, registered at Police Station Goindwal Sahib District Tarn Taran, for the alleged commission of offences punishable under Sections 341/326/323/ 427/506/148/149 of the IPC, as also GD no.8 dated 18.5.2019, registered at the same police station, for the alleged commission of offences punishable under Sections 341/326/324/323/148/ 149 of the IPC (recorded as a cross-case in the aforesaid FIR), as also all other subsequent proceedings arising therefrom, are hereby quashed.

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

31.8.2021
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No