

Manjit Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Nishan Singh Chahal, Advocate, for the petitioners.
Mr. Sukhbeer Singh, AAG, Punjab.
Mr. Vikramjeet Singh Mahal, Advocate,
for the respondent no.2 to 4.

AMOL RATTAN SINGH, J. (Oral)

Case heard by video conference.

By this petition, the petitioners seek quashing of FIR No.177, dated 26.10.2020, registered at Police Station Jaitu, Faridkot, alleging therein the commission of offences punishable under Sections 452, 323, 506 and 34 of the IPC, as also all other subsequent proceedings arising therefrom, on the basis of a compromise (Annexure P-2), arrived at between the petitioners and respondents no.2 to 4.

On 04.12.2020, the following order had been passed by this court:-

All the cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

This petition has been filed seeking quashing, on the basis of a compromise arrived at between the petitioners and respondents no.2 to 4, of FIR no.0177 dated 26.10.2020 (as also all other subsequent proceedings arising therefrom), registered at Police Station Jaito Faridkot, District Faridkot, for the alleged commission of offences punishable under Sections 452, 323, 506 and 34 of the IPC. A copy of the compromise

deed has been annexed as Annexure P-2 with the petition.

Notice of motion be issued to the respondents.

On the asking of the Court, Mr. Ramdeep Partap Singh, AAG, Punjab, Haryana, accepts notice on behalf of respondent no.1.

Mr. Viranjeet Singh Mahal, Advocate, appears and accepts notice on behalf of respondents no.2 to 4 and does not deny the factum of the compromise reached between the parties.

Adjourned to 08.02.2021.

In the meanwhile, the petitioners, as also respondents no.2 to 4 would appear before the learned trial court up to 15.01.2021 to record their statements. That Court would satisfy itself with regard to the authenticity of the compromise and the fact that it has been arrived at without any kind of undue influence or pressure, and would thereafter send its report to this Court, before the next date of hearing.

That Court would also verify whether there is any other person involved in the occurrence, who is not a party to the present petition and whose consent for the compromise would be required, if this Court comes to the conclusion that the FIR sought to be quashed can be so quashed.

A gazetted officer is directed to file an affidavit stating therein whether there are any other criminal cases, of like nature or otherwise, pending against the petitioners or not.”

Pursuant thereto the report of the learned SDJM, Jaitu, dated 18.01.2021, is on record, stating therein that the four petitioners herein as also respondent no.2, i.e. the complainant in the FIR, Pritam Singh, alongwith the injured persons (respondents no.3 and 4), appeared before that court to record their statements in terms of the compromise reached between the parties, with the said persons having been identified by their counsel.

The statement of the investigating officer in the case was also recorded, who stated that none of the accused was involved in any other criminal case.

As per the assessment of that court, the compromise arrived at between the parties is genuine and voluntary.

That being so, looking at the nature of the offences alleged to have been committed by the petitioners and the fact that the matter has been compromised between the petitioners and respondents no.2 to 4, I would see no reason to continue with the criminal proceedings against the petitioners. Consequently, the petition is allowed and FIR No.177, dated 26.10.2020, registered at Police Station Jaitu, Faridkot, alleging therein the commission of offences punishable under Sections 452, 323, 506 and 34 of the IPC, alongwith all proceedings emanating therefrom, is hereby quashed.

February 08, 2021

dharamvir/

**(AMOL RATTAN SINGH)
JUDGE**

Whether reasoned/speaking : Yes/No

Whether reportable: : Yes/No