

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

**CRM-M No.43968 of 2020(O&M)
Date of Decision:09.03.2021**

JAGTAR SINGH AND ORS

.....Petitioners

Vs

STATE OF PUNJAB AND ORS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Tanvir Singh Grewal, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

[1] The case has been taken up for hearing through video conferencing.

[2]. Prayer in this petition is for quashing of FIR No.0128 dated 15.05.2020 registered under Section 324, 326 and 34 of IPC at Police Station City Bhawanigarh, District Sangrur along with all subsequent proceedings arising therefrom on the basis of compromise.

[3]. In the context of genuineness of the compromise, both the parties were directed to appear before the Illaqa Magistrate/trial Court. The trial Court after recording the

statements of the parties has submitted its report. Relevant part of the report is reproduced hereasunder:-

“In the above noted criminal petition, in furtherance to order dated 04.01.2021 passed by the Hon'ble Punjab and Haryana High Court in petition titled as Jagtar Singh and Others Vs. State of Punjab and others bearing CRM-M-43968 of 2020, the petitioners Jagtar Singh, Jaspal Kaur, Kuljeet Singh and Prabhjot Singh and respondents Amrik Singh, Gurvir Singh and Ramandeep Singh appeared before the trial Court on 11.1.2021. Composite statement of the petitioners as well as that of the respondents qua compromise were recorded on that very date. Statement of Investigating Officer ASI Pritpal Singh, Belt No.2044/Sgr, posted at Police Station Bhawanigarh was recorded on 12.01.2021. The parties had been identified by their respective counsels.

After the evaluation of the statements of the parties, it is concluded that the compromise so effected between the parties is genuine, voluntary and without any coercion or undue influence.

It also transpired from the statements of the parties as well as that of the Investigating Officer that apart from the FIR in question, cross case in the form of DDR No.41 dated 20.05.2020 under Sections 324,506 read with Section 34 of IPC had been also registered on the statement of petitioner Prabhjot Singh.

It becomes manifest from the statements of the parties and Investigating Officer that there are four accused in the FIR, they being Jagtar Singh, Jaspal Kaur, Kuljeet Singh and Prabhjot Singh and no accused had been declared as proclaimed offender so far.

Further in the cross case, stemming from the referred FIR, bearing DDR No.41 dated 20.05.2020 under Sections 324,506 read with Section 34 of IPC, there are three accused and they are Amrik Singh, Gurvir Singh @ Lalli and Ramandeep Singh @ Vicky, respondents No.2 to 4. None of the referred persons have been declared proclaimed offender so far.”

[4]. In view of compromise between the parties, chance of complainant coming forward in support of prosecution case is negligible. Since the compromise has been entered into between the parties and the same has been found to be genuine by the Magistrate, therefore, on the strength of **Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052** and **Gian Singh vs. State of Punjab and another, 2012 (4) RCR (Crl.) 543,** the FIR can be quashed.

[5]. Learned State counsel, however, opposed the aforesaid course, but in the interest of justice and also to prevent unnecessary continuation of criminal proceedings, I am of the view that inherent powers under Section 482 Cr.P.C can

be exercised in order to achieve ends of justice.

[6]. Resultantly, FIR No.0128 dated 15.05.2020 registered under Section 324,326 and 34 of IPC at Police Station City Bhawanigarh, District Sangrur as well as all the subsequent proceedings arising therefrom, are hereby quashed.

[7]. Petition stands disposed of.

09.03.2021

Amandeep

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No