

CRM-M-55050 of 2019 (O&M)

Date of Decision: 01.04.2021

Jarnail Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGHPresent: Mr. Tarunveer Vashist, Advocate
for the petitioners.

Mr. Sandeep Singh Deol, DAG, Punjab.

Mr. S.K. Raghuvanshi, Advocate for
Mr. Vijay Lath, Advocate
for respondents No.2 and 3.

AMOL RATTAN SINGH, J.(ORAL)

All 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.

By this petition, quashing of FIR No.86, dated 02.07.2015, is sought registered against the petitioner at Police Station Balachaur, District Shaheed Bhagat Singh Nagar, for the alleged commission of offences punishable under Sections 323, 324, 326, 148 and 149 of IPC, on the basis of a compromise arrived at between the petitioner (accused) and respondents no. 2 and 3, i.e. the complainants.

Vide an order of this Court dated 20.12.2019, the parties were directed to appear before the learned trial Court to get their statements recorded, in terms of the compromise.

Pursuant to the aforesaid order, the report of the learned Sub Divisional Judicial Magistrate, Balachaur, dated 09.03.2020, has been sent to this Court, stating to the effect that the complaint in the FIR, i.e. respondent No.2, Santokh Singh, as also the eye witness, i.e. respondent No.3, Surinder

Kaur wife of Santokh Singh, appeared before that court and got their statements recorded in respect of the compromise stated to have been reached between them and the accused, i.e. the petitioners Jarnail Singh, Gurpreet Kaur, Balvir Kaur and Harinder Kaur @ Indu.

As per the assessment of that Court, the compromise reached between the parties is genuine, voluntary and without any coercion and undue influence.

Copies of the statements of respondents No.2 and 3 as also of petitioners No.2 and 4 have been annexed along with the report.

Learned State counsel on query submits that though there were three other FIRs registered against petitioner No.1 Jarnail Singh and one other FIR registered against petitioner No.2 Gurpreet Kaur, and they were acquitted in those proceedings and other than that, there are no FIRs found to be registered against the petitioners.

Mr. S. K. Raghuvanshi, Advocate appears on behalf of Mr. Vijay Lath, Advocate for respondents No.2 and 3. Though, no power of attorney in his favour seems to be on record. Mr. Vijay Lath, Advocate, had appeared on the last date of hearing and had not denied the factum of the compromise even on that date (01.03.2021).

That being so and the matter has been amicably settled between the parties as per the statements made before the Sub Divisional Judicial Magistrate, Balachaur, the petition is allowed and FIR No.86, dated 02.07.2015, registered against the petitioner at Police Station Balachaur, District Shaheed Bhagat Singh Nagar, for the alleged commission of offences punishable under Sections 323, 324, 326, 148 and 149 of IPC, along with all proceedings emanating therefrom, is hereby quashed.

(AMOL RATTAN SINGH)
JUDGE

April 01, 2021
Manpreet

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