

101

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

CRM-M-1420-2020

Date of Decision: 10.03.2022

Harpreet Singh Khangura

.....Petitioner

Vs.

State of Punjab

.....Respondent

101-1

CRM-M-24531-2021

Harpreet Singh and others

...Petitioner

vs.

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Charanjeet Singh, Advocate,
for the petitioner (in CRM-M-1420-2020).

Mr. Amandeep Singh Jawandha, Advocate,
for the petitioner (in CRM-M-24531-2021).

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

Mr. Anshul Jindal, Advocate,
for respondent no. 2 (in CRM-M-24531-2021).

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

CRM-M-24531-2021

By this petition, the petitioners seek quashing, on the basis of a compromise arrived at between them and respondent no. 2, of FIR no. 0015, dated 06.02.2019, registered at Police Station Dakha, District Ludhiana, for the alleged commission of offences punishable under the provisions of Sections 452/324/323/506/148/149 of the IPC, as also all other subsequent

proceedings arising therefrom. A copy of the compromise deed has been annexed as Annexure P-5 with the petition.

Pursuant to the order of this court 13.07.2021, a report of the learned Judicial Magistrate Ist Class, Ludhiana, dated 31.08.2021, has been received, stating to the effect that the statement of the complainant-respondent no. 2 Jagroop Singh, was recorded before that court as was that of the 8 petitioners herein [though with the statements of petitioner nos. 6 to 8 having been recorded through their attorneys (with instruments conferring a special power of attorney on them)].

All the aforesaid persons are stated to have recorded before that court that they have effected a compromise with each other without any pressure and that they have no objection if the FIR in question is quashed.

The statement of the investigating officer was also recorded to the effect that there was only one complainant (i.e. person affected) and that there are 8 persons arraigned as accused in the FIR, with some of the accused still to be arrested and that as regards petitioner no. 4, Dalwara Singh, 02 other FIRs stand registered against him, one under the provisions of Section 13-A of the Punjab Village Common Lands Regulation Act, 1961, and one alleging therein the commission of various offences, including one under the provisions of Section 307 of the IPC and Section 27 of the Arms Act, 1959.

Similarly, against petitioner no. 2, Karnail Singh, also the same FIR qua the offences punishable under the provisions of Sections 307 etc. and Section 27 of the Arms Act, stands registered.

However, it has also been reported by the learned Magistrate that as per the affidavit of the DSP, Dakha, petitioner no. 2 herein, i.e.

Karnail Singh was found to be eventually innocent in FIR No. 110 (alleging therein the commission of offences punishable under the provisions of Sections 307 etc. of the IPC).

As regards the other accused, i.e. Dalbara Singh, both the cases are still pending trial.

As regards the FIR presently in question, the opinion of that court is to the effect that the compromise arrived at between the parties seems to be without any pressure, coercion or undue influence.

Learned counsel appearing for respondent no. 2/complainant submits that the compromise between the parties still continues to subsist.

That being so, also looking at the nature of offences involved, with the matter having been amicably settled between the parties, the petition is allowed and FIR No. 0015, dated 06.02.2019, registered at Police Station Dakha, District Ludhiana, for the alleged commission of offences punishable under the provisions of Sections 452/324/323/506/148/149 of the IPC, as also all other subsequent proceedings arising therefrom, is hereby quashed.

CRM-M-1420-2020

By this petition, the petitioner seeks the concession of 'pre-arrest bail' in the context of the same FIR registered at Police Station Dakha, District Ludhiana.

Since the petition seeking quashing of the FIR, on the basis of the compromise, i.e. CRM-M-25431-2021, has been allowed by this court hereinabove, with the FIR quashed, this petition seeking 'pre-arrest bail' in that FIR has been rendered infructuous and is disposed of as such.

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

March 10, 2022

nitin

(AMOL RATTAN SINGH)

JUDGE

Whether speaking/reasoned

Whether Reportable

Yes

No.