

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

**CRM-4682-2022 IN/AND
CRM-M-14048-2019
Date of Decision: 18.02.2022**

Sukhwinder Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Ajit Singh Natt, Advocate,
for the applicants/petitioners.

Mr. Sandeep Vermani, Addl. A.G., Punjab.

Mr. Amardeep Singh Mann, Advocate,
for respondents No.2 and 3.

(Through video conferencing)

PANKAJ JAIN, J. (ORAL)

CRM-4682-2022

This is an application for preponement of the main case which is stated to be fixed for 22.09.2022.

For the reasons mentioned in the application, the same is allowed and the main case is accordingly preponed to today itself for hearing.

CRM-M-14048-2019

The petitioners have approached this Court seeking quashing of DDR No.54 dated 20.02.2019, registered under Sections 323 and 34 of the Indian Penal Code in FIR No.27 dated 20.02.2019 at Police Station Sadar Mansa, District Mansa, along with all other subsequent proceeding arising

therefrom, on the basis of compromise.

On 28.03.2019, the following order was passed:-

“This petition has been filed for quashing of DDR No.54 dated 20.02.2019 under Sections 323, 34 IPC in FIR No.27, dated 20.02.2019 under Sections 324, 323, 34 IPC registered at Police Station Sadar Mansa, District Mansa, on the basis of compromise.

Notice of motion.

Mr. Luvinder Sofat, AAG, Punjab, accepts notice on behalf of the State of Punjab. Let two copies of the petition be supplied to him during the course of the day. Mr. Amardeep Singh Mann, Advocate, puts in appearance and accepts notice on behalf of respondents No.2 & 3.

The parties are directed to appear before the trial Court/Illaqa Magistrate on 06.05.2019 for getting their statements recorded. After recording the statements of the parties, the learned trial Court/Illaqa Magistrate shall send a report to this Court regarding genuineness of the compromise between the parties well before the next date of hearing.

Adjourned to 15.07.2019.”

In pursuance to the aforesaid order, report dated 06.05.2019 has been received from the Addl. Chief Judicial Magistrate, Mansa. As per which, it has been reported that:-

“I have the honour to submit that in compliance of order dated 28.03.2019 passed by Hon'ble Punjab & Haryana High Court, Chandigarh in CRM-M-14048-2019 titled

'Sukhwinder Singh and others vs. State of Punjab and others' parties appeared in the court on 06.05.2019 and suffered statements regarding compromise effected between them. The compromise has been entered into voluntarily without any threat or coercion and same is genuine

Report is submitted accordingly."

Learned counsel appearing for respondents No.2 and 3 admits the fact of the parties having compromised and states that he has no objection in case the aforesaid DDR along with all other subsequent proceeding arising therefrom against the petitioners are quashed.

Similarly, learned State counsel has stated no objection in case the aforesaid DDR is quashed based upon the compromise deed.

Keeping in view the aforesaid facts, the present petition is allowed. DDR No.54 dated 20.02.2019, registered under Sections 323 and 34 of the Indian Penal Code in FIR No.27 dated 20.02.2019 at Police Station Sadar Mansa, District Mansa, along with all other subsequent proceeding arising therefrom, is hereby quashed.

(PANKAJ JAIN)
JUDGE

18.02.2022
adhikari

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No