

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46324-2021
Date of decision: 12.01.2022

Darshan Singh & others
...Petitioner

Versus

State of Punjab
...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Nirmaljeet Singh Sidhu, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
99	24.10.2000	Phul, District Bathinda	452/323/506/295-A/353/332/186/148/ 149 IPC

The petitioners, one of whom is 85 years of age, arraigned as accused in the above captioned FIR, which was registered against them way back on 24.10.2000, have come up before this Court under Section 482 CrPC for quashing of the FIR.

On 24.10.2000, based on the statement of Gurdial Singh, Granthi, the police registered FIR captioned above. It was alleged by the complainant that the petitioners-accused armed with Gandasa, Sword, sticks and stones entered in the Gurudwara and attacked him with their respective weapons and gave beatings to him. Since the police party reached there, he was saved. Based on this, the police registered the FIR captioned above.

Aggrieved by the pendency of the FIR for the last more than two decades, the petitioners-accused have filed the present petition under Section 482 CrPC.

No reply has been filed on behalf of the State. However, learned State counsel, on instructions, did not dispute the allegations made in the petition. The allegations made in the petition are identical to CRM-M-46066-2021.

The file is gathering dust for no fault of the petitioners for the last more than two decades. The allegations and the occurrence in the present case is similar to the allegations made in FIR No.97 dated 21.10.2000 under Sections 452/380/295-A/323/506/148/149 IPC registered at Police Station Phul, District Bathinda, which is being quashed by order of even date passed separately in CRM-M-46066-2021 *Gurdeep Singh & ors. Vs. State of Punjab*. Moreover, the complainant Gurdial Singh has expired.

Thus, in the entirety of facts and circumstances peculiar to this case, there is no justification for the FIR to be kept pending and this is a fit case where the inherent jurisdiction of the High Court under Section 482 of the Code of Criminal Procedure need to be invoked to quash the FIR mentioned above.

Keeping in view the nature of allegations against the petitioners and the complainant being no more, the present petition is allowed. The FIR captioned above is hereby quashed. The bail bonds of the petitioners are accordingly discharged. All pending application(s), if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

January 12, 2022
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No