

CRM-M-1205-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(268)

CRM-M-1205-2023

Date of Decision:- 07.08.2023

Jagdish Singh alias Gissi and others

...Petitioners

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Sarthak Jindal, Advocate for
Mr. Karanjeet Singh Brar, Advocate
for the petitioners.

Mr. Anup Singh, AAG, Punjab
for State-respondent No.1.

Mr. Gurinder, Advocate for
Mr. Anmol Malik, Advocate
for the respondents No. 2 to 4.

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.108 dated 22.09.2020, registered for offences under Sections 341, 323, 427, 506, 148 and 149 of the Indian Penal Code, 1860, at Police Station Nandgarh, District Bathinda, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 24.11.2022, Annexure P-2, arrived at between the parties.

2. Pursuant to order dated 11.01.2023 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

“1. As per record and statement of the investigating officer, six persons are arrayed as accused in the present FIR who are the petitioners in the present petition.

2. As per record and statement of the investigating officer, no accused is proclaimed offender in the present FIR.

3. As per the statements of the parties, the compromise between them is genuine, voluntary and without any coercion or undue influence.

4. As per statement of the Investigating officer, accused Khushdeep Singh @ Khushi S/o Karanjit Singh and Navdeep Singh @ Nathu S/o Swarn Singh are involved in FIR No.72 dated 23.07.2018 under Sections 307, 324, 323, 34 IPC, P.S.Nangarh. However, cancellation report was moved in the said FIR by the police on 17.09.2019.

5. As per record and statement of the investigating officer there is only one victim namely Lakhwinder Singh, who is respondent No.2 in the present petition.”

3. Counsel representing respondents No.2 to 4 does not have any objection in case the compromise is given effect to.

4. Heard counsel for the parties.
5. Dispute has been amicably resolved amongst the parties with the intervention of the respectables by virtue of compromise, Annexure P-2.
6. In view of the report given by the Trial Court and the judgment of the Supreme Court in *Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543* and a Full Bench of this Court in *Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, this Court is of the view that keeping the criminal proceedings alive would not serve any purpose and setting them aside would enable the parties to lead a harmonious and peaceful life.
7. Accordingly, the petition is allowed. FIR No.108 dated 22.09.2020, registered for offences under Sections 341, 323, 427, 506, 148 and 149 of the Indian Penal Code, 1860, at Police Station Nandgarh, District Bathinda, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

07.08.2023
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No