

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15364-2021
Date of decision:-21.08.2023

Jagdeep Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Lajpat Rai Sharma, Advocate for
Mr.Parvesh Sachdeva, Advocate
for the petitioners.

Mr.Anup Singh, AAG, Punjab.

Ms.Seenu Ravish, Advocate for
Mr.Amandeep Chhabra, Advocate
for respondent No.2.

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.127 dated 27.10.2018, under Sections 325, 323, 34 IPC, registered at Police Station Arniwala, Annexure P1, along with all subsequent proceedings arising therefrom, on the basis of compromise Annexure P2, arrived at between the parties.

2. Counsel for the petitioners submits that an altercation had taken place between the parties, who are agriculturists, as there was a dispute over irrigation of their fields, which has been amicably settled by compromise Annexure P2.

269

3. Counsel for the respondent No.2/complainant has admitted the factum of compromise.

4. Heard counsel for the parties.

5. Pursuant to order dated 07.04.2021 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

“(i) It is submitted that in view of the statements got recorded by both the parties, this Court is satisfied that the compromise effected between them is genuine, which is not the result of any pressure or coercion.

(ii) It is further submitted that the present FIR was registered against three persons namely accused Jagdeep Singh son of Gurmej Singh, Chamkaur Singh son of Gurmej Singh, Gurmej Singh son of Balwant Singh, all residents of village Chahlawali, Chak Banwala Tehsil & District Fazilka.

(iii) It is further submitted that as per report of investigating officer, all the accused in the present FIR are on bail and no other proceedings are pending against accused persons.

6. In view of this development, report of the Trial Court and 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 proceedings pending would be a futile exercise as the chances of conviction of the accused are remote. In case, the criminal matter is quashed, it will bring an end to the animosity between the warring parties, who are co-

CRM-M-15364-2021

269

villagers.

7. Accordingly, the petition is allowed. FIR No.127 dated 27.10.2018, under Sections 325, 323, 34 IPC, registered at Police Station Arniwala, Annexure P1 along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

21.08.2023
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No