

CRM-M-13401-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(249)

CRM-M-13401-2023

Date of Decision:- 28.07.2023

Jagdeep Singh @ Rinku @ Mandeep Singh and anr. ...Petitioners

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. G.S.Jagpal, Advocate for the petitioner.

Mr. A.P.S.Tung, DAG, Punjab for State-respondent No.1.

Mr. G.S.Bains, Advocate for respondents No.2 to 6.

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.78 dated 13.04.2022, registered for offences under Sections 279, 427, 323, 148 and 149 of the Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act, 1959, at Police Station Sidhwan Bet, District Ludhiana Rural, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 26.05.2022, Annexure P-2, arrived at between the parties.

2. Counsel for the petitioners submits that as per the allegations levelled in the FIR, petitioners were travelling in a car, which met with an accident with a motorcycle on which the complainant-Roop Singh and his companion, Amrit Pal, respondents No.2 and 3, were travelling. He submits that it has been alleged that after the accident, an altercation took place

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between the parties and the petitioners are accused of having inflicted injuries on the private respondents. Counsel submits that there is an allegation, though a false one, that petitioner No.1 took out a revolver, but the fire arm was never used nor has it been recovered. Counsel asserts that the dispute having arisen out of a vehicular accident has been amicably settled by way of panchayati compromise, Annexure P-2, and the parties have appeared before the Trial Court to record their statements in its support.

3. Counsel representing the private respondents has admitted the factum of settlement.

4. Upon instructions received from SI, Kuldeep Singh, State counsel submits that matter is under investigation.

5. Heard counsel for the parties.

6. Pursuant to order dated 23.03.2023 passed by this Court, after recording of the statements of the parties and the Investigating Officer, report has been received from the learned Judicial Magistrate to the effect that the Court is satisfied with regard to the authenticity of the compromise. It has been further submitted that the settlement has been arrived at voluntarily without any pressure or coercion.

7. Noticing the nature of dispute between the parties, the circumstances, which led to the registration of the FIR, and the settlement, which has been arrived at, as well as the report of the Trial Court, this Court has no hesitation in accepting the prayer made in the petition, as this Court is of the opinion that bringing an end to the criminal proceedings, would enable the parties to lead a peaceful and harmonious life.

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8. Accordingly, the petition is allowed. FIR No.78 dated 13.04.2022, registered for offences under Sections 279, 427, 323, 148 and 149 of the Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act, 1959, at Police Station Sidhwan Bet, District Ludhiana Rural, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

28.07.2023
Kamal

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