

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

CRM-M-20722-2023(O&M)
Date of decision:-08.08.2023

Amarjit Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Vishal Munjal, Advocate
for the petitioners.

Mr.Anup Singh, AAG, Punjab.

Mr.Vipin Mahajan, Advocate
for respondents No.2 and 3.

SUVIR SEHGAL, J.(ORAL)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of Cross version registered vide GD No.23 dated 14.10.2020, under Sections 326, 325, 324, 323, 427 IPC (Annexure P-2) in FIR No.120 dated 26.9.2020, under Sections 365, 326, 325, 324, 323, 148, 149 IPC, registered at Police Station Sekhwan, Police District Batala, District Gurdaspur, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 03.03.2023 Annexure P-3, arrived at between the parties.

2. Counsel for the petitioners submits that FIR is an outcome of a minor altercation between the parties, who had a dispute over the

produce of Panchayat land and both the parties allegedly inflicted injuries on each other.

3. Upon instructions, State counsel submits that both the parties have lodged complaints against each other. Counsel for the respondents No.2 and 3 has admitted the factum of compromise and supports the prayer made in the petition.

4. Heard counsel for the parties.

5. In compliance of the order passed by this Court on 27.04.2023, report has been received from learned Judicial Magistrate Ist Class, Batala, who has recorded the statements of the parties and the Investigating Officer. The relevant extract of the report is as under:

“There are only four accused arrayed in the present GD No.23, dated 14.10.2020 namely (1) Amarjit Singh aged about 58 years s/o Dalip Singh, (2) Rajwant Singh @ Harjant Singh aged about 53 years s/o Dalip Singh, (3) Davinderjit Singh @ Joban Singh aged about 26 years s/o Satnam Singh, (4) Ravinder Singh @ Sabi aged about 30 years s/o Satnam Singh all R/o village Bhagwan, PS Sekhwan, District Gurdaspur. Except the above stated accused persons, no other person is arrayed as accused in the present case/GD. Neither of the above stated accused are declared proclaimed offender in the present case/GD. All the above stated persons have voluntarily compromised the matter in dispute.

After considering the statements of the parties as well as the statement of IO, this Court is of the view that the compromise between the parties in the present case is genuine, voluntary and without any coercion or undue influence.”

6. Noticing that the dispute is between co-villagers and has been amicably settled, report of the trial Court as well as the judgments passed by the Supreme Court in cases *Parbatbhai Aahir alias Parbatbhai Bhimsinhbhai Karmur and others Versus State of Gujarat and another (2017) 9 SCC 641* and *Ramgopal and another Versus The State of Madhya Pradesh 2021 (4) RCR (Criminal) 322*, this Court has no hesitation in accepting the prayer made in the petition. This Court is of the view that quashing of the criminal proceedings would go a long way in restoring peace, brotherhood and bonhomie amongst inhabitants of the village.

7. Accordingly, the petition is allowed. GD No.23 dated 14.10.2020, Annexure P-2, under Sections 326, 325, 324, 323, 427 IPC in FIR No.120 dated 26.09.2020 (Annexure P-1) under Sections 365, 326, 325, 324, 323, 148, 149 IPC registered at Police Station Sekhwan, Police District Batala, District Gurdaspur along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

08.08.2023
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No