

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30605-2023

Date of decision:-29.08.2023

Bachitter Singh @ Chika and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.J.S. Bhinder, Advocate
for the petitioners.

Mr.Anup Singh, AAG, Punjab.

Mr.B.S. Toor, 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.22 dated 04.03.2019, under Sections 458, 323, 427, 148, 149 IPC, registered at Police Station Chhajali, District Sangrur, Annexure P1, along with all subsequent proceedings arising therefrom, on the basis of Panchayati compromise dated 30.05.2023, Annexure P2, arrived at between the parties.

2. Counsel for the petitioners submits that the main cause of dispute between the parties is the Panchayat elections as both the parties belong to different groups. He submits that the dispute has been amicably settled by Panchayati compromise, Annexure P2 and parties

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have recorded their statements in support of their settlement.

3. Upon instructions, State counsel submits that injuries allegedly inflicted upon the victims are simple in nature.

4. Counsel for complainant/victims - respondents No.2 to 6 has supported the prayer made in the petition and admitted the factum of compromise.

5. Heard counsel for the parties.

6. Pursuant to order dated 03.07.2023 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

“1. Five persons namely Bachittar Singh @ Chika, Gurjiwan Singh @ Jivan Singh, Nikka Singh, Laddi Singh and Balvir Singh, all residents of village Chatha Nanhera have been arrayed as accused in the present FIR and all of them appeared and got their statements recorded before the Court and no accused is absconding/P.O. in the present case.

2. The complainant of the present case is Balwant Singh and the injured/aggrieved persons are Ram Chand son of Bakshish Singh, Charanjit Singh son of Labh Singh, Sukhpal Kaur wife of Labh Singh and Labh Singh son of Jagar Singh, all residents of village Chatha Nanhera, Tehsil Shaheed Udham Singh Wala, Sunam, Distt. Sangrur and all of them appeared and got their statements recorded before the Court in support of compromise.

3. The case is pending for prosecution evidence.

4. The compromise is genuine, voluntary and out of free will of the parties.

5. *No accused is involved in any other criminal case.”*

7. 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 criminal proceedings alive would not serve any purpose and setting them aside would enable the parties to lead a harmonious and peaceful life.

8. Accordingly, the petition is allowed. FIR No.22 dated 04.03.2019, under Sections 458, 323, 427, 148, 149 IPC, registered at Police Station Chhajali, District Sangrur, Annexure P1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

29.08.2023
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Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No