

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-38351-2022 AND
CRM-M-38915-2022
Date of decision: 30.05.2023

(i) SARABJIT SINGH @ SONI AND OTHERS ...PETITIONER(S)

VERSUS
STATE OF PUNJAB AND OTHERS ...RESPONDENT(S)

AND

(ii) ROBINPREET SINGH @ ROBINBIR SINGH & ANR ...PETITIONER(S)

VERSUS
STATE OF PUNJAB AND OTHERS ...RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. S.P.S. Sandhu, Advocate for
Ms. Kuljinder Bir Kaur, Advocate
for the petitioners in CRM-M-38351-2022 and
for respondent Nos.2 to 5 in CRM-M-38915-2022.

Mr. PBS Goraya, Advocate
for the petitioners in CRM-M-38915-2022 and
for respondent Nos. 2 to 4 in CRM-M-38351-2022.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

GURBIR SINGH, J. (ORAL)

Vide this common order, two petitions i.e. CRM-M-38351-2022
and CRM-M-38915-2022 filed for quashing of cross cases shall be disposed
of.

CRM-M No.38351 of 2022 has been filed under Section 482
Cr.P.C. for quashing of DDR No.24 dated 12.05.2021 under Section 326,
324, 323, 336, 506, 148, 149 IPC and 25, 27, 54, 59 of Arms Act registered in
FIR No.35, dated 11.05.2021 under Sections 452, 427, 336, 323, 506, 148,
149 of IPC, 1860 and Sections 25, 27 of Arms Act, 1959 registered at Police

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Station Verowal District Tarn Taran and all subsequent proceedings arising therefrom, on the basis of compromise dated 10.11.2021 (Annexure P-2), effected between the parties.

CRM-M No. 38915 of 2022 has been filed for quashing of FIR No. 35, dated 11.05.2021 under Sections 452, 427, 336, 323, 506, 148, 149 of IPC, 1860 and Sections 25, 27 of Arms Act, 1959 registered at Police Station Verowal District Tarn Taran and all subsequent proceedings arising therefrom, on the basis of compromise dated 10.11.2021 (Annexure P-2), effected between the parties.

Learned State counsel has already filed the status report.

Learned counsel for the parties have stated that FIR and DDR mentioned above are cross case version arising out of same occurrence. Parties have entered into compromise. Both FIR and DDR may be quashed as parties have amicably settled the dispute.

During the course of preliminary hearing, the trial Court was directed by this Court to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise (Annexure P-2).

In compliance thereof, report dated 14.03.2023 from the Sub-Divisional Judicial Magistrate, Khadur Sahib has been received in both the petitions through the District & Sessions Judge, Tarn Taran, with statements of the parties, in which, it has been mentioned that the compromise is genuine, voluntary and without any coercion or undue influence.

The powers under Section 482 Cr.P.C. can be exercised in such like situation in order to prevent unnecessary vagaries of criminal trial to be faced by the parties, when there are remote chances of conviction of the accused.

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The compromise in question is found to be fully in consonance with the direction issued by the Court in “Kulwinder Singh and others vs. State of Punjab and another”, 2007(3) RCR (Criminal) 1052 and “Gian Singh vs. State of Punjab and another”, 2012 (4) RCR (Criminal) 543.

In view of the aforesaid report of the Sub-Divisional Judicial Magistrate, Khadur Sahib accompanied by statement of all the parties, the instant petition is allowed. Consequently, the impugned DDR No.24 dated 12.05.2021 under Section 326, 324, 323, 336, 506, 148, 149 IPC and 25, 27, 54, 59 of Arms Act registered as cross case in FIR No.35 of 2021 registered at Police Station Verowal, District Tarn Taran and FIR No.35, dated 11.05.2021 under Sections 452, 427, 336, 323, 506, 148, 149 of IPC, 1860 and Sections 25, 27 of Arms Act, 1959 registered at Police Station Verowal District Tarn Taran and all subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 10.11.2021 (Annexure P-2), *qua* the petitioners only.

Copy of this order be placed on the connected file.

(GURBIR SINGH)
JUDGE

30.05.2023
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Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No