

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

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CRM-M-47453-2022 (O&M)

Date of decision: 27.07.2023

Parvinder Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**Present:** Mr. Jagdeep Singh Chahal, Advocate
for the petitioners.

Mr. Arun Luthra, DAG, Punjab.

Mr. Raman Preet Singh, Advocate
for respondent No.1-complainant.

SUVIR SEHGAL, J. (ORAL)**CRM-23777-2023**

Application is allowed as prayed for.

Amended memo of parties is taken on record.

CRM-M-47453-2022

1. Counsel for the petitioners submits that petition qua accused-Harinder Singh and Aakrit Singh was withdrawn vide order dated 16.05.2023 passed by this Court.

2. Instant petition has been filed under Section 482 Cr.PC seeking quashing of FIR No.211 dated 22.05.2021 registered under Sections 452, 323, 506, 148, 149 Indian Penal Code, 1860 at Police Station Sohana, District SAS Nagar (Annexure P-1) and all the subsequent proceedings arising therefrom on the basis of compromise dated 01.09.2022 (Annexures P-2).

3. In deference to order dated 17.10.2022, report has already been

received from the trial Court and its relevant extract is as under:

"(i) Total 17 accused namely Parvinder Singh, Kulwinder Singh, Harjeet Singh, Jaspal Singh, Rajinder Singh, Sharanjit Singh, Surjit Singh, Harvinder Singh, Manpreet Singh, Harinder Singh, Devinder Singh, Jasvir Singh, Harinder Singh, Aakrit Singh, Harpreet Singh, Gurjinder Singh and Jaspreet Singh mentioned above are arrayed as accused in the present FIR No.211 dated 22.05.2021, U/s 452, 323, 506, 148, 149 IPC PS Sohana.

(ii) The accused are not claimed offenders in the present FIR.

(iii) The compromise Ex. C1 between the complainant Kesar Singh, victim Amarjit Singh and accused Parvinder Singh, Kulwinder Singh, Harjeet Singh, Jaspal Singh, Rajinder Singh, Sharanjit Singh, Surjit Singh, Harvinder Singh, Manpreet Singh, Harinder Singh s/ o Nirmal Singh, Devinder Singh, Jasvir Singh, Harpreet Singh, Gurjinder Singh and Jaspreet Singh is genuine, voluntary and without any coercion or undue influence.

However, as per the statement of accused Harinder Singh s/o Jit Singh and Aakrit Singh s/o Harinder Singh, the compromise Ex.C1 is not genuine qua the said accused Harinder Singh s/o Jit Singh and Aakrit Singh s/o Harinder Singh, only.

(iv) As per the statement of the parties and ASI Satpal Chaudhary, FIR No. 41 dated 05.05.2017 under section 323,341,506,148,149, IPC PS Banur, District Patiala has also been registered against the accused Parvinder Singh, Surjit Singh, Kulwinder Singh, Sharanjit Singh, Harjit Singh, Rajinder Singh, Harvinder Singh and Jaspreet Singh and FIR No.70 dated 05.03.2020, u/s 323, 341, 355, 506, 294, 34 IPC, PS Sohana, District SAS Nagar, has been registered against accused Harinder Singh and Aakrit Singh, whereas the accused Jaspal Singh, Manpreet Singh, Harinder Singh s/o Nirmal. Singh, Devinder Singh, Jasbir Singh, Harpreet Singh and Gurjinder Singh are not involved in any other case.

(v) There is only two victim/complainants in the present FIR i.e. Kesar Singh @ Sarpanch and Amarjit Singh mentioned above."

Keeping in view the above settlement, report of the Trial Court and

the judgments of Supreme Court in *B.S. Joshi and others Versus State of Haryana and another (2003) 2 RCR (Criminal) 888* and *Narinder Singh Versus State of Punjab (2014) 6 SCC 466* this Court is of the opinion that keeping the criminal proceedings alive would not serve any purpose and setting them aside would enable the parties, who are co-villagers, to lead a peaceful and harmonious life.

5. Accordingly, petition is allowed. FIR No.211 dated 22.05.2021 registered under Sections 452, 323, 506, 148, 149 Indian Penal Code, 1860 at Police Station Sohana, District SAS Nagar (Annexure P-1), is quashed **qua the petitioners.**

27.07.2023
Parveen kumar

(SUVIR SEHGAL)
JUDGE

Whether speaking/reasoned :Yes/No
Whether reportable :Yes/No