



CRM-M-666-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-666-2024

Date of decision : 05.11.2024

Darshan Singh and Anr.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Ms. Meena, Advocate for
Mr. Amit Arora, Advocate for petitioners.

Mr. Gautam Thapar, AAG, Punjab.

Mr. Jagjeet Singh, Advocate for respondent No.2.

AMARJOT BHATTI J.

1. Petitioners – Darshan Singh and Gurpreet Singh filed instant petition under Section 482 of Cr.P.C. for quashing of FIR No.209 dated 02.12.2023, under Sections 323, 324, 341, 34 of IPC, 1860 (Offence under Section 326 of IPC was added later on), registered at Police Station Sadar Tarn Taran, District Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-3).

2. Facts of the case are that complainant Satnam Singh gave his statement that on 27.11.2023 at about 8:30 PM, he was standing outside his house and he saw villagers belonging to scheduled caste category were fighting with each other and some ladies of the village came to him to resolve their fight. He told them that Darshan Singh son of Jarnail Singh was respectable person of the village, who was coming from the opposite direction. Darshan Singh started abusing him. He tried to pacify him. On this Darshan Singh brought *Kirpan* from his house and gave *Kirpan* blow

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towards him which he warded off by raising left hand. As a result, it hit on his index finger. He gave second blow from the reverse side of the *Kirpan* which hit below his left elbow. On hue and cry raised by him, Darshan Singh ran away from the spot along with his weapon. His wife called Malraj Singh and Gurbhej Singh Fauji and informed them about the incident. Both of them came to his house for taking him to the hospital and when they reached near the gate of Gurbhej Singh then Gurpreet Singh @ Soni, Gurdev Singh @ Golu and Darshan Singh along with 3-4 persons came out from the house of Gurpreet Singh @ Soni. Gurpreet Singh shake hands with Gurbhej Singh, thereafter, came towards him and started giving him fist blows. Darshan Singh started scuffling but he was saved by Malraj Singh and Gurbhej Singh. Thereafter, he was taken to Civil Hospital, Tarn Taran for treatment. With these allegations, present FIR has been registered.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Petitioners and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Additional Chief Judicial Magistrate, Tarn Taran dated 17.02.2024. Statement of respondent No.2 has been recorded, where he confirmed the compromise with petitioners. He confirmed that this compromise has been effected without any pressure, coercion or undue influence from any side and he has no objection regarding quashing of FIR.

4. Petitioners – Darshan Singh and Gurpreet Singh also confirmed this fact in their joint statement. Statement of ASI Ranjit Singh

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also recorded who confirmed that the accused are not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Additional Chief Judicial Magistrate, Tarn Taran, it is clear that compromise has been effected between parties without any pressure, coercion or undue influence, which is acceptable to both the parties.

6. Considering all these factors in mind, in the case in hand both parties have mutually settled their dispute. They are residents of same village. It is a case of version and cross version. Matter is also compromised in CRM-M-1368-2024 titled “Satnam Singh and Anr. vs. State of Punjab and Anr.” fixed for today. It would enable them to live in peace and harmony and end all litigation started between them. Thus no purpose would be served with the continuation of criminal proceedings.

7. Therefore considering these facts, petition filed by petitioners is accepted and FIR No.209 dated 02.12.2023, under Sections 323, 324, 341, 34 of IPC, 1860 (Offence under Section 326 of IPC was added later on), registered at Police Station Sadar Tarn Taran, District Tarn Taran (Annexure P-1) and all other subsequent proceedings arising therefrom are quashed qua petitioners.

8. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

05.11.2024.*Sunil Devi*

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No