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

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Date of decision : 05.09.2024

Raghbir Singh @ Jathedaar and Anr.**..... Petitioners****V/S****State of Punjab and Anr.****..... Respondents****CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present: Mr. H.S.Mann, Advocate for petitioners.

Mr. Gautam Thapar, AAG, Punjab.

Ms. Kirandeep Kaur, Advocate
for respondent No.2.

AMARJOT BHATTI J.

1. Petitioners – Raghbir Singh @ Jathedaar and Daman Singh @ Kikar Singh @ Gaji Singh have filed instant petition under Section 482 of Cr.P.C. for quashing of FIR No.0081 dated 18.08.2023, under Sections 306/34 of IPC, registered at Police Station Sadar, District Moga and all subsequent proceedings arising therefrom on the basis of compromise dated 27.09.2023 (Annexure P-2).

2. Facts of the case are that Lakhwinder Kaur complainant gave her statement that she was mother of two sons namely Ranjit Singh and Manpreet Singh @ Mani. Her younger son Manpreet Singh @ Mani was doing duty of Granthi at Dera Baba Farid Khukhrana, District Moga for the last about 6-7 months and said Dera was run by Jathedar Raghvir

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Singh. Kikar Singh was also in the said Dera. On 07.08.2023, she received call from Raghvir Singh, Jathedaar that her son Manpreet Singh @ Mani was under the influence of insecticide spray and for this he was given medical assistance. On 09.08.2023, she called her son and thereafter, she called Raghvir Singh and Kikar Singh but they did not pick up the phone. She along with her son Ranjit Singh reached the said Dera and found that Manpreet Singh @ Mani was unconscious. Raghvir Singh and Kikar Singh were not present there. On 10.08.2023, she took her son to Satnam Hospital, Jalandhar for treatment and on 15.08.2023 her son was referred to PGI, Chandigarh but her son expired on reaching PGI, Chandigarh within 15/20 minutes. The complainant stated that her son Manpreet Singh @ Mani was beaten up and harassed by Raghvir Singh, Jathedaar and Kikar Singh and her son died at the hands of aforesaid persons. She prayed for legal action. 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, Moga dated 30.05.2024. Statement of respondent No.2 has been recorded, where she confirmed the compromise with petitioners. She confirmed that this compromise has been effected without any pressure, coercion or undue influence from any side and she has no objection regarding quashing of FIR.

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4. Petitioners – Raghbir Singh @ Jathedaar and Daman Singh @ Kikar Singh @ Gaji Singh also confirmed this fact in their statement. Statement of ASI Gurdev Singh is also recorded. He confirmed that the accused are not involved or declared as proclaimed offender in any other criminal case.

5. In order to verify the factual position, status report was called for. Status report along with post-mortem report is received. There is report of Chemical Examiner dated 24.11.2023, according to which no poison was detected in the exhibits tested in the laboratory. There is report of Board of Doctors giving opinion, according to which no poison was detected in the viscera. So, the cause of death in this case could not be ascertained. Though offence under Section 306 of IPC read with Section 34 of IPC is a heinous crime, post-mortem report indicates that one person lost life but cause of death could not be ascertained.

From the report of Additional Chief Judicial Magistrate, Moga, 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. 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.0081 dated 18.08.2023, under Sections 306/34 of IPC, registered at Police Station Sadar, District Moga and all other subsequent proceedings arising therefrom are quashed qua

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petitioners.

8. Accordingly, present petition stands accepted.

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

(AMARJOT BHATTI)
JUDGE

05.09.2024.
Sunil Devi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No