

**CRM-M-10985-2023**

# Gurdeep Singh

## Versus

## State of Punjab and others

**CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN**

Present:- Mr. Sikandh Mehta, Advocate for  
Mr. Pankaj Bajaj, Advocate  
for the petitioner.

Mr. J.S.Arora, DAG, Punjab.

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**PANKAJ JAIN, J. (Oral)**

1. This petition has been filed under Section 482 Cr.P.C. for quashing of the FIR No.171 dated 19.10.2022 for the offences punishable under Sections 341, 323, 308, 506, 148, 149 of IPC, 1860 at Police Station Sadar Khanna, District Khanna (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 24.02.2023 (Annexure P-2).

2. As per the allegations leveled in the FIR, it has been alleged as under:-

*“Yesterday, on dated 18.10.2022, my brother, Parminder Singh after doing his work, was coming to our home from dairy in the night time at about 8:30 P.M. Noni Son of Gurjant Singh, Inderpreet Singh son of Kala Singh, residents of our village, were also coming with my brother by talking with each other. Then, when my brother was before some distance from Ravidass Chowk of our village, then Ladi Son*

*of Baljit Singh, Sarabjit Singh @ Sabu Son of Rachhpal Singh, residents of Village Panjrukha, Police station, Sadar Khanna, District Ludhiana and Ravi son of unknown, resident of Village Jalajan, Police station Sadar Khanna, Ravi Son of unknown resident of Deewa Police station Payal District Ludhiana, Ranjha son of unknown resident of Khanna Khurd, Police station City-2 Khanna, who were having wooden sticks etc., came in front side and surrounded my brother and started giving beatings to my brother by saying that, "Today, he has to be killed". I was standing in outside of my house and on hearing noise, I was come at the spot to save my brother, Parminder Singh. Then, when I stopped them to do so, then the above said Ladi said to me that, "Today, we will kill you" and then he gave a blow of wooden baseball stick and when I was run to save myself, then he came in front of me and hit the same on my head with the intention to kill and the baseball hit in the right side of my head, above the ear in my cephalic region and due to this, blood was started coming from my head. All the above said persons, gave beatings to myself and my brother, Parminder Singh. They also gave fist blows to us and after giving threats to kill us, they ran away from the spot along with their weapons. Reason behind this enmity is that my brother, Parminder Singh along with the above said Noni and Inderpreet Singh goes to do exercise in gym in the ground of the village and the above said Ladi along with his unknown persons/friends takes drugs etc. in the ground of the village and my brother, Noni and Inderpreet Singh stopped him to do so."*

3. Counsel for the petitioner submits that the matter in dispute has already been settled among the parties and nothing remains.

4. Learned State counsel has vehemently opposed the quashing of the FIR on the basis of compromise and the Court was made to peruse Para 3 and 5 of the reply filed by Karnail Singh, PPS, Deputy Superintendent of Police, Homicide And Forensic Unit, Khanna, Cum Sub Division Khanna, District Ludhiana observing as under:-

*"3. Thereafter investigation was set into motion and on dated 19-10-*

*Raghvir Singh, in the presence of witnesses. The statements of complainant Raghvir Singh, his brother Parminder Singh and other witnesses under section 161 Cr.P.C were recorded. The Medico-Legal case Summary, of complainant Raghvir Singh, from Postgraduate Institute of Medical Education and Research, Chandigarh, was received in which nature of Injury is mentioned as "Dangerous to life". True Typed copy of Medico-Legal case Summary is Annexure R1.*

*4. That the petitioners/accused persons have not yet been arrested despite laborious efforts made by the police authorities.*

*5. That there is no record of alleged compromise dated 24-02-2023 with the police authorities, but the complainant Raghvir Singh produced affidavit dated 24-03-2023 executed by the complainant Raghvir Singh, in which Raghvir Singh denied to agree with the compromise. Moreover section 308 of IPC is non-compoundable offence. True translation of affidavit dated 24.03.2023 is Annexure R2/T.”*

5. Having heard both the parties and carefully gone through the records of the case.

6. Keeping in mind the nature of injuries that have been inflicted upon by the petitioner(s) were opined to be “*dangerous to life*” and the complainant also denies entering into any compromise with the petitioner(s). This Court does not find it a fit case under Section 482 Cr.P.C. for quashing of the petition on the basis of compromise in view of the law laid down by the Supreme Court in ***State of Madhya Pradesh vs. Laxmi Narayan and others (2019) 5 SCC 688.***

7. Accordingly, present petition is dismissed.

( PANKAJ JAIN )  
JUDGE

02.04.2024

spn

Whether speaking/reasoned

Yes

Whether Reportable :

No