



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

318

1.

CRM-M No.12519 of 2024
Date of decision: December 5th, 2024
- Tarlok Singh and others

.....Petitioners
- Versus
- State of Punjab and others

.....Respondents
2.

CRM-M No.13510 of 2024
- Kashmir Kaur and others

.....Petitioners
- Versus
- State of Punjab and others

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Robin Singh, Advocate
for the petitioners (in CRM-M-12519-2024)
for respondents No.2 and 3 (in CRM-M-13510-2024).

Mr. Vipin Mahajan, Advocate
for the petitioners (in CRM-M-13510-2024)
for respondents No.2 and 3 (in CRM-M-12519-2024).

Mr. Shiva Khurmi, Assistant Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

This order shall dispose of the above-mentioned petitions.

2.

Prayer in **CRM-M-12519-2024** is for quashing of FIR No.103 dated 01.09.2022 under Sections 307, 452, 447, 506, 148, 149 of the IPC and Section 25 of the Arms Act, 1959, registered at Police Station Sadar, Gurdaspur and in **CRM-M-13510-2024** is for quashing of cross-version registered vide G.D. No.50 dated 13.09.2022 under Sections 148, 307, 326, 325, 324, 323, 427, 149 of the IPC and Section 25 of the Arms Act,

1959, in the above-mentioned FIR, along with all consequential proceedings arising therefrom on the basis of compromise.

3. Vide order dated 28.08.2024, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 27.09.2024 respectively to get their statements recorded regarding the compromise arrived at, between them.

4. In compliance of orders dated 28.08.2024 and 28.10.2024, report has since been received from learned Additional Sessions Judge, Gurdaspur, with respect to the compromise effected between the parties, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the private respondents have also made statement to the effect that they would have no objection if the FIR/cross-version *qua* the accused-petitioners are quashed.

5. The trial Court has annexed the copies of the statements of the parties, along with its report.

6. Learned State counsel too submits that there are no other accused other than the petitioners and the private respondents are the only aggrieved persons in the FIR/cross-version in question. It has also not been disputed by the learned State counsel that in the FIR version, no injury was sustained by the opposite party, whereas in the cross-version, injury had been sustained on the head, shoulder and arm of the injured. Furthermore, it has also not been disputed, on instructions from ASI Harminder Singh, that one of the co-accused Vikramjit Singh in the cross-version had expired, though not on account

of any injury sustained in the occurrence in question, after the registration of the FIR in question.

7. In view of the report of the learned Additional Sessions Judge, Gurdaspur, and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petitions are allowed. The aforesaid FIR/cross-version and all consequential proceedings arising out of it, are quashed.

8. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

December 5 th , 2024	(MANJARI NEHRU KAUL)
Puneet	JUDGE
Whether speaking/reasoned	: Yes
Whether reportable	: No