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2024:PHHC:

277 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13532-2024
DATE OF DECISION:-01.05.2024

Jagdeep Singh and others ...Petitioners..
vs.
State of Punjab and others ...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Birinder Pal, Advocate,
for the petitioners.

Mr. Siddharth Sandhu, AAG, Punjab.

Mr.D.S. Bhinder, Advocate
for respondents No.2 and 3.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 482 Cr.P.C., the petitioners pray for quashing of DDR No.24 dated 11.09.2017, registered under Sections 307, 323, 427, 511, 148, 149 IPC and Sectionsn 25, 27, 59-A of the Arms Act, Police Station Sadar Budhlada, District Mansa against FIR No.80 dated 10.09.2017, under Sections 307, 336, 506, 34 IPC and Sections 25/27 of the Arms Act, 1959, at Police Station Budhlada, District Mansa and all other subsequent proceedings arising therefrom on the basis of compromise deed dated 05.11.2023 (Annexure P-4).
2. As per the allegations levelled against the petitioners, they inflicted injuries to the complainant party.
3. In pursuance of order dated 18.03.2024 passed by this Court,

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whereby parties were directed to appear before the Trial Court for getting their statements recorded as regards the veracity of compromise arrived at between them, report dated 10.04.2024 has been received from the concerned Court, stating that compromise has been effected between the parties and the same is genuine, voluntary and out of free will of the parties. No accused has been declared as proclaimed person.

3.1 There were total 10 accused in the aforementioned DDR, out of which, one accused, namely, Manmohan Singh @ Mohna has unfortunately expired besides it, two victims namely, Surjit Kaur and Harbant Singh are no more. Statement on behalf of respondent No.2 as regards veracity of settlement was got recorded through his general power of attorney, namely, Jagmail Singh. Moreover, in FIR No.80, dated 10.09.2017, which was got registered at the instance of petitioners against the private respondents, they have been acquitted.

4. Once, the compromise has been arrived at between the parties without any pressure and respondents No.2 and 3 having no objection as regards quashing of DDR as well as all other subsequent proceedings arising out of the same against the petitioners; there does not appear to be any impediment as regards quashing of present DDR qua the petitioners. Even otherwise, the parties are belong to the same village and keeping in view the safety and betterment of the future of generations to come, they have entered into a settlement besides it in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by



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quashing the DDR on the basis of compromise entered into between the parties.

5. The parties having settled their dispute so as to live in peace in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the Trial Court to invest further time and effort in adjudicating this DDR. The compromise in question is even found to be fully in consonance with the direction issued by the Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.***

6. Moreover, learned counsel for the petitioners on instructions from his clients, submit that they volunteer to serve public cause by providing Semi Bio Analyzer to Civil Hospital, Mansa.

7. Thus, in view of the aforesaid facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, DDR No.24 dated 11.09.2017, registered under Sections 307, 323, 427, 511, 148, 149 IPC and Sectionsn 25, 27, 59-A of the Arms Act, Police Station Sadar Budhlada, District Mansa against FIR No.80 dated 10.09.2017, under Sections 307, 336, 506, 34 IPC and Sections 25/27 of the Arms Act, 1959, at Police Station Budhlada, District Mansa (Annexure P-1) as well as all subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

8. Accordingly, petition stands allowed, however, subject to providing Semi Bio Analyzer to the Civil Hospital, Mansa, within a period of three weeks from today as volunteered by the petitioners against due



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receipt issued by the concerned Civil Surgeon, who shall prepare an inventory in this regard for its regular inspection by the Director concerned. A copy of the receipt shall also be sent to the office of Advocate General, Punjab at the earliest for maintaining records in this regard.

01.05.2024

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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No