

CRM-M-40947-2023 with
CRM-M-22598-2024(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
237+120

Date of decision : 02.08.2024

(1) CRM-M-40947-2023

Manjinder Singh and Ors.

..... Petitioners

V/S

State of Punjab and Ors.

..... Respondents

(2) CRM-30448-2024 in/and
CRM-M-22598-2024

Harbhajan Singh

..... Petitioner

V/S

State of Punjab and Ors.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Vipin Mahajan, Advocate for applicant/petitioner(s).

Mr. Gautam Thapar, AAG, Punjab.

Mr. Ketan Chopra, Advocate and
Mr. Randeep Singh, Advocate for
Mr. Vishal Munjal, Advocate for respondents No.2 and 3.

AMARJOT BHATTI J.

CRM-30448-2024 in CRM-M-22598-2024

Present application has been filed under Section 482 Cr.P.C. for
preponing main case from 16.09.2024 to any early date.

For the reasons enumerated in the application same is allowed
and main case is taken on board today itself.

Application is accordingly disposed of.



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1. Both the cases i.e. CRM-M-40947-2023 and CRM-M-22598-2024 arising out of common General Diary number are taken up together with the consent of learned counsel for the petitioner(s) and respondents.
2. Petitioners – Manjinder Singh, Gurjant Singh and Nirmal Singh have filed have filed CRM-M-40947-2023 and Harbhajan Singh has filed CRM-M-22598-2024 under Section 482 of Cr.P.C. for quashing of GD No.31 dated 10.10.2020, under Sections 326, 323, 34, 201 of IPC in FIR No.135 dated 10.10.2020 under Sections 325, 323, 34 of IPC, registered at Police Station Dorangla, District Gurdaspur and all subsequent proceedings arising therefrom on the basis of compromise dated 09.07.2023 (Annexure P-2).
2. Facts of the case are Lakhwinder Singh gave his statement that they are two brothers and they have their land adjoining to the land of Harbhajan Singh. There was dispute regarding passage to their land. On 22.09.2020, Manjinder Singh came to their house and enquired about his father Gurdev Singh who also reached there. Manjinder Singh started quarreling with his father. He gave beating to his father with small wooden bat. He ran to his house and brought a *datar*. Gurjant Singh also came there and took *datar* from Manjinder Singh and gave blow to him which hit on his right leg. Nirmal Singh gave dang blow which hit on the wrist of his right arm. His father came forward to rescue him. Harbhajan Singh came on the spot by raising *lalkara* that they should not be spared. They all with common intention gave injuries to him and his father. On hearing alarm,



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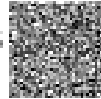
his elder brother Harwinder Singh also reached on the spot and thereafter all the assailants ran away from the spot with their respective weapons. With these allegations, present GD was recorded.

3. Petitioners filed these petitions for quashing of aforesaid GD on the basis of compromise. Petitioners and respondents No.2 & 3 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed reports regarding compromise has been received from the court of Civil Judge (Jr. Division)-cum-Judicial Magistrate Ist Class, Gurdaspur dated 02.05.2024 and 05.06.2024 respectively. Statements of respondents No.2 & 3 have been recorded, where they confirmed the compromise with petitioners. They confirmed that this compromise has been effected without any pressure, coercion or undue influence from any side and they have no objection regarding quashing of GD.

4. Petitioners – Manjinder Singh, Gurjant Singh and Nirmal Singh in CRM-M-40947-2023 and Harbhajan Singh in CRM-M-22598-2024 also confirmed this fact in their separate statements. As per the reports the accused are not involved or declared as proclaimed offenders in any other criminal case.

5. Therefore, from the report of Civil Judge (Jr. Division)-cum-Judicial Magistrate Ist Class, Gurdaspur, 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. I have considered the facts of the cases and compromise arrived at between the parties. Now parties have effected compromise.



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These are cases of cross version regarding FIR No.135 dated 10.10.2020 under Sections 325, 323, 34 of IPC, registered at Police Station Dorangla, District Gurdaspur against 04 accused namely Gurdev Singh, Lakhwinder Singh, Gurmeet Kaur @ Darshan Kaur and Harwinder Singh @ Sonu. In this case also parties have arrived at compromise and for quashing of this FIR, CRM-M-40821-2023 titled ***“Gurdev Singh and Others vs. State of Punjab and Others”*** is quashed vide separate order of even date. Therefore, it is a case of version and cross-version. The reason behind this occurrence was quarrel which took place between both sides. Both parties have mutually settled their dispute. They are residents of same village. 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, petitions filed by petitioners are accepted and GD No.31 dated 10.10.2020, under Sections 326, 323, 34, 201 of IPC arising out of FIR No.135 dated 10.10.2020 under Sections 325, 323, 34 of IPC, registered at Police Station Dorangla, District Gurdaspur and all other subsequent proceedings arising therefrom are quashed.

8. Accordingly, present petition stands accepted.

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

(AMARJOT BHATTI)
JUDGE

02.08.2024.
Sunil Devi

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No