



CRM-M-25059-2024

-1-

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

283

CRM-M-25059-2024

Date of decision : 24.07.2024

Jagdeep Singh and Ors.

..... Petitioners

V/S

State of Punjab and Ors.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Dinesh Nagar, Advocate for petitioners.

Mr. Amandeep Singh, DAG, Punjab.

Ms. Gurshabad Sandhu, Advocate for respondents No.2 to 4.

AMARJOT BHATTI J.

1. Petitioners-Jagdeep Singh, Shaminder Singh and Amarjit Singh have filed instant petition under Section 482 of Cr.P.C. for quashing of FIR No.0021 dated 20.04.2019 (Annexure P-1), under Sections 323, 341, 148, 149 of IPC and Section 3 & 4 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Aur, District SBS Nagar and all other subsequent proceedings on the basis of compromise effected between parties dated 16.04.2024 (Annexure P-2).

2. Facts of the case are Amandeep Singh complainant stated that about seven months ago, he and his brother had altercation with Jaggi, Chinder and Amarjit and a case was registered against both parties. On 19.04.2019, Panchayat called both parties for effecting compromise. At about 3:45 PM complainant along with his brother Rinku, father Rachpal



CRM-M-25059-2024

-2-

were returning home from Panchayat House on motorcycle, when they reached near house of Sadhu Singh, 8-9 persons armed with *Kirpans* and *baseball* bats stopped them. Jaggi raised a *lalkara* whereas Baljit Kaur mother of Jaggi was also standing nearby who abused them. One unknown person gave *Kirpan* blow towards his head which hit on his left arm. Said unknown person gave him kick blows. His brother Rinku and father Rachpal were also beaten up. People started gathering there, on this the assailants managed to abscond with their respective weapons.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Petitioners and respondents No.2 to 4 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 Sessions Judge, Shaheed Bhagat Singh Nagar dated 15.06.2024. Statements of respondents No.2 to 4 have been recorded, where they confirmed the compromise with petitioners. They confirmed that this compromise has been effected without any pressure, coercion from any side and they have no objection regarding quashing of FIR.

4. As per the report there are four accused in the FIR namely Baljit Kaur, Jagdeep Singh @ Jaggi, Amarjit Singh and Shaminder Singh @ Chhinder. During investigation Baljit Kaur was found innocent. Petitioners-Jagdeep Singh, Shaminder Singh and Amarjit Singh also confirmed this fact in their separate statements. As per report no accused has been declared as proclaimed offender.

5. Therefore, from the report of Additional Sessions Judge,



CRM-M-25059-2024

-3-

Shaheed Bhagat Singh Nagar, it is clear that compromise has been effected between parties without any pressure, coercion or undue influence, which is acceptable to both the parties. Gainful reference can be made to the authority of Hon'ble Apex Court in ***"Ramawatar v. State of M.P." (2022)***

13 Supreme Court Cases 635, para No.17 which runs as under:-

"Where it appears to the Court that the offence in question, although covered under the SC/ST Act, is primarily private or civil in nature, or where the alleged offence has not been committed on account of the caste of the victim, or where the continuation of the legal proceedings would be an abuse of the process of law, the Court can exercise its powers to quash the proceedings. On Similar lines, when considering a prayer for quashing on the basis of a compromise/settlement, if the Court is satisfied that the underlying objective of the Act would not be contravened or diminished even if the felony in question goes unpunished, the mere fact that the offence is covered under a "special statute" would not refrain this Court or the High Court, from exercising their respective powers under Article 142 of the Constitution or Section 482 Cr.P.C."

6. In the case in hand both parties have mutually settled all their disputes. 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, petition filed by petitioners is accepted and FIR No.0021 dated 20.04.2019 (Annexure P-1), under Sections 323, 341, 148, 149 of IPC and Section 3 & 4 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989,

CRM-M-25059-2024

-4-

registered at Police Station Aur, District SBS Nagar and all other subsequent proceedings arising therefrom are quashed qua present petitioners.

8. Accordingly, present petition stands accepted.
9. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)

JUDGE

24.07.2024.

Sunil Devi

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