



CRM-M-30822-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision : 30.09.2024

Sukhdev Singh @ Gollu and Ors.

..... Petitioners

V/S

State of Punjab and Ors.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Imran Farooqi, Advocate for petitioners (through V.C.).

Mr. Gautam Thapar, AAG, Punjab.

Mr. Brajesh Kumar Kaundal, Advocate for

Mr. Karan Singh Rana, Advocate for respondent Nos.2 and 3.

AMARJOT BHATTI J.

1. Petitioners - Sukhdev Singh @ Gollu, Beant Singh and Bikramjeet Singh @ Babbu have filed present petition under Section 482 Cr.P.C. for quashing of FIR No.38 dated 16.05.2024 under Section 458, 323, 506, 427, 34, 324 of IPC, registered at Police Station Sherpur, District Sangrur (Annexure P-1) and all subsequent proceedings arising out of the same on the basis of compromise dated 01.06.2024 (Annexure P-2).

2. Facts of the case are that Harbhajan Singh @ Chhota gave his statement that on 15.05.2024, he was sitting in a liquor shop and was drinking. Mithu Singh deliberately harassed him. Subsequently, Sukhdev Singh @ Golu also came there who abused and slapped him. Since, he was drunk, therefore, he returned home. At about 9 o'clock at night his mother Paramjit Kaur reached at the gate where Sukhdev Singh @ Golu along with his elder brother Beant Singh, Bikramjit Singh @ Babbu forcibly entered their house with an intention to rob them. Sukhdev Singh

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@ Golu armed with a gun entered the house by scaling the wall and opened the gate from inside. As a result, other accused also entered the house and vandalized their property. His father was beaten up. When he tried to intervene, he was also caused injuries. After assaulting them, the aforesaid assailants fled away with their respective weapons. With these allegations, present FIR has been registered.

3. Petitioners filed this petition for quashing of aforesaid FIR 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 report regarding compromise has been received from the court of Judicial Magistrate Ist Class, Dhuri dated 30.08.2024. 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 FIR.

4. Petitioners – Sukhdev Singh @ Gollu, Beant Singh and Bikramjeet Singh @ Babbu also confirmed this fact in their joint statement. Statement of HC Jashjot Singh is also recorded. He confirmed that the accused are not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Dhuri, 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. Considering all these factors in mind, in the case in hand

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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, petition filed by petitioners is accepted and FIR No.38 dated 16.05.2024 under Section 458, 323, 506, 427, 34, 324 of IPC, registered at Police Station Sherpur, District Sangrur (Annexure P-1) and all other subsequent proceedings arising therefrom are quashed qua petitioners.

8. Accordingly, present petition stands accepted.

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

(AMARJOT BHATTI)
JUDGE

30.09.2024.*Sunil Devi*

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No