

CRM-M-37751-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision : 17.12.2024

Jaskaran Singh

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Azam Khan, Advocate for petitioner.

Mr. Gautam Thapar, AAG, Punjab.

Mr. Ritesh Pandey, Advocate for respondent No.2.

AMARJOT BHATTI J.

1. Petitioner – Jaskaran Singh has filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of cross case GD No.9 dated 10.11.2023, under Sections 325, 323, 506 of IPC, 1860 (Annexure P-2) in FIR No.98 dated 23.10.2023, under Sections 326, 452, 323, 324, 148, 149 of IPC, 1860, registered at Police Station Fatehgarh Churian, District Batala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 10.07.2024 (Annexure P-3).

2. As per the facts, FIR No.98 dated 23.10.2023, under Sections 326, 452, 323, 324, 148, 149 of IPC, 1860, registered at Police Station Fatehgarh Churian, District Batala was registered on the statement of Jaskaran Singh.

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Cross version has been registered vide GD No.9 dated 10.11.2023 on the statement of Simran Kaur. As per her version, on 21.10.2023 at about 12 O'clock (Noon), she was sitting in her shop and her father-in-law Kuldeep Singh was going towards the house. On the way, Jaskaran Singh started abusing her father-in-law. Many people gathered there and she also reached on the spot on hearing the alarm. Matter was pacified. At about 12:40 PM, her husband Azad Singh had gone to the house of Jaskaran Singh to complain about the conduct of Jaskaran Singh. She along with her mother-in-law Narinder Kaur, father-in-law Kuldeep Singh followed Azad Singh. Again her husband and Jaskaran Singh had heated arguments and many people gathered there. While they were returning home, Jaskaran Singh pushed her from behind. As a result, she fell down and fractured her left little finger and also suffered injury on her right shoulder. She was taken to the hospital for treatment by her husband. She was discharged on 23.10.2023. Thereafter, the matter was reported to the police.

3. Petitioner filed this petition for quashing of aforesaid DDR on the basis of compromise. Petitioner and respondent No.2 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, Batala dated 06.09.2024. Statement of respondent No.2 has been recorded, where she confirmed the compromise with petitioner. She confirmed that this compromise has been effected without any pressure, coercion and undue



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influence from any side and she has no objection regarding quashing of DDR.

4. Petitioner Jaskaran Singh also confirmed this fact in his statement. Statement of ASI Balwinder Singh is also recorded who further confirmed that the accused is not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Batala, 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 both parties have mutually settled their dispute. They are residents of same village. It is a case of cross version regarding FIR No.98 dated 23.10.2023, under Sections 326, 452, 323, 324, 148, 149 of IPC, 1860, registered at Police Station Fatehgarh Churian, District Batala (Annexure P-1) against 06 accused namely Yadwinder Singh @ Azad Singh, Simran Kaur @ Sonia, Kuldeep Singh, Narinder Kaur, Simrat Pal Sharma and Binku @ Sukhjot Singh. In this case also parties have arrived at compromise and for quashing of this FIR, CRM-M-37750-2024 titled ***“Yadwinder Singh @ Azad Singh and Ors. vs. State of Punjab and Anr.”*** is allowed vide separate order of even date. 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 cross case registered vide GD No.9 dated 10.11.2023, under

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Sections 325, 323, 506 of IPC, 1860 (Annexure P-2) in FIR No.98 dated 23.10.2023, under Sections 326, 452, 323, 324, 148, 149 of IPC, 1860, registered at Police Station Fatehgarh Churian, District Batala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner.

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

(AMARJOT BHATTI)
JUDGE

17.12.2024.

Sunil Devi

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