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

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Date of Decision:- 16.10.2024

Gurpreet Singh and Ors.

...Petitioners

Vs.

State of Punjab and Ors.

...Respondents

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Rahul Garg, Advocate
for the petitioners.

Mr. Kewal Singh, Addl. A.G. Punjab.

Mr. Charitr Kadyan, Advocate for
respondent Nos.2 and 3.

AMARJOT BHATTI, J.

1. Petitioners Gurpreet Singh, Sharanjeet Singh, Baljit Singh and Santokh Singh have filed petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No. 0138 dated 04.07.2024, under Section 331(6), 115(2), 118(1), 191(3), 190, 351(2) of Bharatiya Nyaya Sanhita (BNS), 2023, registered at Police Station Sadar Nabha, District Patiala (Annexure P-1) along with all consequential proceedings on the basis of compromise (Annexure P-2).

2. As per the facts, Jagtar Singh filed written complaint alleging that he is retired from Indian Army on 30.06.2024. He reached home on 03.07.2024. House of his brother Santokh Singh is adjoining to the house of Makhan Singh who is his neighbour. They are three brothers living in separate houses. He used to give his two acres of agricultural land on lease to his brother Santokh Singh and after his retirement he refused to give his



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land on lease to Santokh Singh and gave the same to his cousin Sukhchain Singh. Due to this dispute his younger brother Santokh Singh on 03.07.2024 called his brother-in-law Saranjit Singh alias Sarni, Gurpreet Singh and his father-in-law Baljit Singh along with two unknown persons. He was present in the house along with his family and cousin Sukhchain Singh. At about 9:00 PM, his younger brother knocked at the door. He along with others shouted and insulted him. At about 10:00 PM, Santokh Singh armed with sword, Saranjit Singh alias Sarni armed with Barcha, Gurpreet Singh armed with Kirpan and Baljit Singh armed with stick and unknown persons holding kirpans entered his house forcibly and attacked them with deadly weapons causing injuries to him and his cousin Sukhchain Singh as detailed in the FIR. On hue and cry raised by them, villagers gathered there and the assailants ran away from the spot. With these allegations, FIR was registered.

3. Learned counsel representing State has filed status report which is taken on record.

4. 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, Nabha dated 25.09.2024. Joint statement of respondents No.2 & 3 has 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.



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5. Petitioners – Gurpreet Singh, Sharanjeet Singh, Baljit Singh and Santokh Singh also confirmed this fact in their joint statement. Statement of ASI Rajinder Singh is also recorded. He confirmed that the accused are not involved or declared as proclaimed offender in any other criminal case.

6. Therefore, from the report of Judicial magistrate Ist Class, Nabha, it is clear that compromise has been effected between parties without any pressure, coercion or undue influence, which is acceptable to both the parties.

7. Considering all these factors in mind, in the case in hand both parties have mutually settled their dispute. They are close relatives, out of which complainant/respondent No.2 and petitioner No.4 are real brothers. 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.

8. Therefore considering these facts, petition filed by petitioners is accepted and FIR No. 0138 dated 04.07.2024, under Section 331(6), 115(2), 118(1), 191(3), 190, 351(2) of Bharatiya Nyaya Sanhita (BNS), 2023, registered at Police Station Sadar Nabha, District Patiala and all other subsequent proceedings arising therefrom are quashed qua petitioners.

9. Accordingly, present petition stands accepted.

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

16.10.2024

Sunil Devi

(AMARJOT BHATTI)
JUDGE