

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

CRM-M-11376 of 2015
Date of decision : 09.09.2015

Anuj and ors.

...Petitioners

Versus

State of Haryana and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. N. S. Shekhawat, Advocate for the petitioners.

Mr. Arun Luthra, AAG, Haryana
assisted by ASI Surender Singh

Mr. J. K. Sherawat, Advocate for the respondent No.2

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 482 of the Code of Criminal Procedure has been filed for quashing of FIR No.328 dated 09.11.2014, registered under Sections 148/149/323/307/341/120-B of the Indian Penal Code (for short 'the IPC') and Section 25/54/59 of Arms Act, at Police Station Sadar Ballabgarh, District Faridabad, and all consequential proceedings arising therefrom, on the basis of compromise arrived at between the parties.

The learned counsel for the petitioners states that with the intervention of the respectables, the parties have amicably resolved their disputes and arrived at a compromise (Annexure P-3).

On the other hand, the learned State counsel submits that the petitioners had tried to commit murder of respondent No.2 by firing at him from a country made pistol. During investigation, the petitioners No.4 and 6 were found in possession of country made pistols without any license. He further submits that offences under Section 307 IPC and 25/54/59 of Arms Act are not compoundable.

Heard.

In **Narinder Singh and others Vs. State of Punjab and another**, 2014 (2) MLJ (Criminal) 365, it has been held that offences under Section 307 IPC would fall in the category of heinous and is a serious offence, therefore, is to be generally treated as a crime against the society and not against the individual alone.

The offences under Section 307 IPC are not compoundable and are against the society. Hence, the compromise (Annexure P-3) arrived at between the parties is not sustainable.

Accordingly, the present petition is dismissed.

09.09.2015

ashok

**(JITENDRA CHAUHAN)
JUDGE**