

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

**Criminal Misc. No. M-19749 of 2014
Date of Decision:-31.3.2015**

Baljinder Singh @ Gogi and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. H.S. Dhillon, Advocate
for the petitioners.

Mr. Sultan Singh Gill, Deputy A.G., Punjab.

HARI PAL VERMA J.

Prayer in this petition is for quashing of FIR No.188 dated 3.12.2013, under Section 307 IPC and Sections 25/54/27/59 of the Arms Act, registered at Police Station Sarabha Nagar, District Ludhiana, now converted into offence under Sections 336 IPC read with Section 30 of the Arms Act in view of compromise dated 26.5.2014 (Annexure P-4).

This Court vide order dated October 07, 2014 passed the following order :-

“Service is complete.

A date is requested on behalf of respondent No.1 to file reply.

This is a petition for quashing of FIR on the basis of compromise.

The petitioners on the one hand and private respondent on the other, are directed to appear before the Illaqa Magistrate on 25.11.2014 for getting their statements recorded with regard to the compromise.

The trial Court would determine the authenticity of the compromise arrived at between the parties and the fact that it has been reached without any pressure or undue influence and after satisfying itself, would send his report along with statements of the parties to this Court before the next date of hearing.

Adjourned to 19.1.2015 to await the report of the Illaqa Magistrate.”

Pursuant to the aforesaid order dated October 07, 2014, the parties appeared before the Chief Judicial Magistrate, Ludhiana on 25.11.2014 and their statements were recorded. On the basis of the statements so recorded, learned Chief Judicial Magistrate, Ludhiana has submitted his report dated 25.11.2014. The report indicates that the compromise dated 26.5.2014 is genuine and voluntarily.

Keeping in view the factum of compromise effected between the parties dated 26.5.2014 and the law laid down by this Court in the case of Kulwinder Singh and others vs. State of Punjab and another 2007(3) RCR (CrI.) 1052 (P & H) and Narinder Singh and others vs. State of Punjab and another 2014(2) RCR (Criminal) this petition is accepted and FIR No.188 dated 3.12.2013, under Section 307 IPC and Sections 25/54/27/59 of the Arms Act, registered at Police Station Sarabha Nagar, District Ludhiana, converted into offence under Sections 336 IPC read with Section 30 of the Arms Act (after the inquiry conducted by SHO Varun Chhabra), and the consequential proceedings arising therefrom are hereby quashed.

March 31, 2015
Vijay Asija

(**HARI PAL VERMA**)
JUDGE