

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-22996-2015

Date of decision: October 06, 2015

Niranjan Singh & others

...Petitioners

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sarbjit Singh Khaira, Advocate for the petitioners.

Rajan Gupta, J.

Petitioner has prayed for quashing of FIR No.18 dated 05.04.2015, under sections 307, 148, 149 IPC and Section 25, 27, 54/59 of Arms Act, registered against the petitioners at Police Station Bhaini Mian Khan Gurdaspur, on the basis of compromise. Learned counsel has relied upon judgment reported as *Narinder Singh and others Vs. State of Punjab and another, (2014) 6 Supreme Court Cases 466*.

I have heard learned counsel for the petitioners and given careful thought to the facts of the case.

Incident took place on Majitha Road, Amritsar on 3.4.2015. Complainant Amandeep Singh alleged that he had gone to village Fatu Barkatan to meet his friend Harpal Singh. He came to know that Harpal Singh was away to his field. He went his field at Beas River Embankment to meet him. At about 3.30 P.M., accused came there. One of them was armed with 12 bore gun. They exchanged heated arguments with Harpal Singh. As he made a move to save Harpal Singh, one of the

accused fired with the gun with intention to kill him. Complainant fell down, where after accused fled from the spot. After FIR was lodged, investigation ensued. Medical examination was conducted at Amandeep Hospital, Amritsar. It was found that petitioner had suffered a gunshot injury with a 12 bore gun. He had severe pain in the forearm and tendon was exposed. There was 2” oval shaped wound with muscle exposed. The Surgical Event Chart P-13 is as follows:-

“Surgical Event Chart

Bed/R.No._____

Bed/R.No._____

Name_____Age_____Sex_____Weight_____

Bed/R.No._____

3. Bone Ulna Totally crushed & communted all small pieces removed

4. Nerves Ulnar-Continuous but contused Medin-Partial tears at 2 places due to unpacted splinters

5. Vessels Radial art-Continuous and pulsations palpable

Ulnar art- Continuous with palpable pulsation cap filing of all finger good

6. Splinters Multiple splinters noted all splinters sealed and sent to cash counter- To be forwarded to police. Handed over to Office incharge Ramandeep Singh (Rikku) They will be sent through proper channel.

7. Loose tacking suture given digital fdp/fo POP slab given to FPL

8. Hand and forearm Need observation

9. Long term progna sega dig function is very poor.”

Keeping in view the nature of crime, I am of the considered view that present is not a fit case for quashing on the basis of compromise. Besides, investigation is still pending. Number of accused are involved who almost created a law and order problem. Injuries suffered by complainant appear to be serious in nature. In the facts and circumstances of the case, judgment in *Narinder Singh's case (supra)* cannot help the petitioners. No case for interference inherent jurisdiction is made out.

Dismissed.

(RAJAN GUPTA)
JUDGE

October 06, 2015
'Rajpal'