

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

**CRM NO. M-24649 of 2015
DECIDED ON : JULY 28, 2015**

Rohan & others

...Petitioners

versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Piyush Sharma, Advocate,
for the petitioners.

Ms. Priyanka Sadar, AAG, Punjab.

None for respondent No.2.

JASPAL SINGH, J. (ORAL)

This is a petition under Section 482 of the Code of Criminal Procedure for quashing of FIR No. 97 dated April 05, 2014 under Sections 452, 336, 427, 506, 323, 148 and 149 IPC and Section 25 of Arms Act registered at Police Station City Ferozepur, District Ferozepur and all subsequent proceedings arising therefrom, on the basis of affidavit dated July 11, 2014 (Annexure P-2) sworn by complainant.

2 Report of learned trial Court has been received, in which, it has been categorically observed that the matter has been compromised between the parties without any pressure, coercion. It has also been observed in the report that parties have entered into a valid compromise with their free consent and the same appears to be genuine. Even otherwise, matter involved in these proceedings is personal in

nature, which has been amicably put at rest.

3. During the course of arguments, learned State counsel has filed a short affidavit of Balwinder Singh, PPS, Deputy Superintendent of Police (City), Ferozepur unfolding that during investigation of this case no gun has been recovered from the possession of accused persons and further that it also transpires that petitioner-Vicky is/was not holding any arms licence. Thus, no offence under Section 25 of Arms Act is made out.

4. So, in view of circumstances narrated above as well as the observations made in case reported as ***Kulwinder Singh and others vs. State of Punjab and another; 2007(3) RCR (Criminal) 1052,*** I am of the considered opinion that continuation of criminal proceedings between the parties would be an abuse of the process of law and the present compromise is for the benefit of the parties and would certainly bring peace and harmony between them.

5. Consequently, instant petition stands allowed and FIR No. 97 dated April 05, 2014 under Sections 452, 336, 427, 506, 323, 148 and 149 IPC and Section 25 of Arms Act registered at Police Station City Ferozepur, District Ferozepur and all subsequent proceedings arising out of the same are quashed qua the petitioners.

JULY 28, 2015
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(JASPAL SINGH)
JUDGE