

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

**Crl. Misc. No. M-25665 of 2014
Date of decision: 27.01.2015**

Manpreet Singh @ Bunny and others

...Petitioners

versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Vishal Aggarwal, Advocate,
for the petitioners.

Mr. Gurvir Sidhu, AAG, Punjab.

Mr. Manoj Kaushik, Advocate,
for respondent No.2.

RITU BAHRI, J.

Quashing of FIR No. 271 dated 01.11.2012, under Sections 307, 120-B, 148, 149, 34 IPC and Section(s) 25/54/59 of Arms Act, registered at Police Station, Kotwali, District Patiala, is sought on the basis of compromise dated 18.07.2014 (Annexure P-2).

Dispute in the present case is between Soni-petitioner No.2 and Kala Commando-complainant (respondent No.2), who are real brothers. Complainant is stated to be a hardcore criminal and about 15 FIRs have been registered against him. He used to pressurise the petitioners' family to give the entire house to him. On 30.08.2012 the complainant came out on bail from the jail and caused injuries to petitioner No.2 and his wife. In this regard, FIR No.276 dated 08.11.2012, under Sections 452, 325, 34 IPC was registered against the complainant at Police Station Kotwali, Patiala. The

present FIR is counter blast to the above said FIR.

During the pendency of the trial, the matter has now been resolved between the the petitioners and respondent No.2-Kala Commando, vide compromise (Annexure P-2).

In compliance with the order dated 14.08.2014 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Additional Sessions Judge, Patiala, has been received in this regard. As per report, Kala Commando-respondent No.2 (complainant) made his statement on 18.10.2014 to the effect that the present FIR was registered at his instance. Now with the intervention of the respectable persons, he has compromised the matter with the accused (petitioners) vide compromise, Ex.CX. . He has no grudge against any of the accused and has no objection, if the above said FIR is quashed. Joint statement of Sony, Sanjay Kumar @ Gattu, Rajwinder Singh @ Raju, jagdish Kumar @ Aandu and Manpreet Singh @ Money @ Bunny-petitioners was also recorded to the same effect. Statement of Asha Chopra, sister of the complainant was also recorded, whereby she has admitted the factum of compromise between the parties. In view of separate statements of the parties, the court is satisfied that the compromise is valid and genuine one.

Status report regarding injuries has also been sent, whereby it has been stated that as per MLR dated 01.11.2012 prepared by Dr. Adish Goyal, two injuries have been found on the person of Kala Commando. As per the x-ray report, both these injuries were declared as simple, but as per the MLR, firearm weapon was used for causing injuries No.1 and 2.

Since both the injuries were simple in nature, the compromise effected between the parties, can be accepted.

Consequently, in view of the status report and the judgment of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429**, the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and Ors. vs. State of Punjab and another 2007(3) RCR (Crl.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 271 dated 01.11.2012, under Sections 307, 120-B, 148, 149, 34 IPC and Section(s) 25/54/59 of Arms Act, registered at Police Station, Kotwali, District Patiala, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

27.01.2015
ajp