

237 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CRM No.M-32132 of 2013
Date of Decision: February 13, 2015

Amandeep Singh and others Petitioners

vs.

State of Punjab and others Respondents

2. CRM No.M-32156 of 2013
Date of Decision: February 13, 2015

Nawabjit Singh and others Petitioners

vs.

State of Punjab and another Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Vaibhav Narang, Advocate for the petitioners
(in CRM-M No.32132 of 2013 and
for the complainant in CRM-M No.32156 of 2013).
Mr. Navdeep Singh, Asstt. Advocate General, Punjab.
Mr. Subhash Chand, Advocate for the complainant
(in CRM-M No.32132 of 2013 and
for the petitioners in CRM-M No.32156 of 2013).

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?

2. To be referred to the Reporters or not?

3. Whether the judgment should be reported in the Digest?

Kuldip Singh J.(Oral)

This order will dispose of two criminal petitions bearing
CRM Nos.M-32132 and 32156 of 2013, being the version and cross
version.

Both the petitions have been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short 'Cr.P.C.') for quashing of FIR No.190 dated 26.07.2013, under Sections 307, 452, 427, 148, 149 of the Indian Penal Code, 1860 (in short 'IPC') and Section 25 of the Arms Act, 1959, registered at Police Station Chherretta, District Amritsar City, and cross version DDR No.40, dated 28.07.2013, under Sections 341, 323, 324, 34 and 326 IPC (added later on) along with all consequential proceedings arising therefrom on the basis of compromise.

Report of learned Judicial Magistrate 1st Class, Amritsar received that he has recorded the statements of the parties and reported that the compromise has been effected between the parties without any threat, pressure and coercion.

A perusal of the FIR shows that as per version of Nawabjit Singh, on 26.07.2013, Amandeep Singh armed with *dattar*, Manbir Singh armed with double barrelled gun, Gurbir Singh armed with double barrelled gun, Sukhdip Singh @ Laddi armed with double barrelled gun and Navrudh Singh armed with pistol along with 5-7 persons came to his house. Amandeep Singh started giving blows on the main gate with *dattar*, exhorting Nawabjit Singh to come outside. Manbir Singh fired shots on Nawabjit Singh and his brother Gursewak Singh with intention to kill them, which hit on the left cheek, left side of the neck, middle finger of left hand, left hand below elbow

and near the shoulder on left hand of Nawabjit Singh. It also hit on the right hand finger of Gursewak Singh.

The facts and circumstances show that large number of persons armed with fore-fire arms attacked the other party. Therefore, the case under Section 307 IPC is also made out.

Keeping in view the seriousness of the case, I am of the view that it is not a fit case, where the powers under Section 482 Cr.P.C. should be exercised.

Accordingly, both the petitions stand dismissed.

February 13, 2015
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(KULDIP SINGH)
JUDGE