

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

CRM M-37290 of 2015

Date of decision : 03.02.2016

Nishan Singh & ors.

....Petitioners

V/s

State of Punjab & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. H.S. Batth, Advocate for the petitioners.

RAJAN GUPTA J.

This is a petition under section 482 Cr.P.C. seeking quashing of FIR No. 107 dated 03.09.2015 registered under sections 307, 323, 34 IPC and sections 25, 27 of the Arms Act at police station Bhikhiwind, District Tarn Taran.

Learned counsel for the petitioner has relied upon judgment reported as *Narinder Singh & ors. vs. State of Punjab & anr. 2014(3) SCC (Crl.) 54*. According to him, petition for quashing of FIR can be entertained even at the stage of investigation after parties amicably settle the issue.

I have heard learned counsel for the petitioner.

FIR was registered on the complaint of Kulwinder Singh. He stated that on 03.09.2015, he was accosted by accused who were armed with various weapons. On seeing them, he ran to save his life. At this stage, accused Nishan Singh fired a shot with his revolver. This hit him on back side of thigh of his right leg. He fell down. Thereafter, accused Hardev Singh gave him baseball blow on front side of his head. Another accused namely Baba Lakha

gave a stick blow on left side of his forehead. On hearing his cries, certain persons came on the spot. Assailants thereafter ran away from the spot. Admittedly, investigation of the case is still pending. Number of injuries were inflicted including a gun shot injury on the person of Kulwinder Singh. It is not clear whether weapon of offence has been recovered by the police or not. In my considered view judgment in *Narinder Singh's* case (supra) cannot help the case of the petitioner at this stage. Investigation appears to be at its crucial stage. Possibility that complainant may have compromised under pressure cannot be ruled out. In my considered view, investigation needs to be taken to its logical end. Petition is, thus, without any merit and is hereby dismissed.

February 03, 2016

Ajay

(RAJAN GUPTA)
JUDGE