

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-9509 of 2016 (O&M)

Date of Decision: 02.05.2016

Jaskiran Singh @ Jaskaran Singh & others

--Petitioners

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Harkeerat Singh, Advocate for the petitioners.

Ms. Manpreet Dhaliwal, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Section 482 Cr.P.C seeking quashing of F.I.R. No.7 dated 18.1.2016 under sections 307, 34 I.P.C and sections 25, 27 of Arms Act, registered at Police Station, Dehlon, District Ludhiana

Since quashing was sought on the basis of compromise, this Court while issuing notice of motion on 17.3.2016 had directed the parties to appear before the Illaqa Magistrate concerned on 5.4.2016 for recording of their statements and a report as regards veracity of the compromise was called for.

Placed on record is a report dated 30.4.2016 of the learned J.M.I.C., Ludhiana and a perusal thereof would reveal that the statements of the complainants i.e. Rajwinder Singh son of Darshan Singh and Jaspal Singh @ Kaka son of Bhinder Sinch (respondents no.2 and 3 herein) have been duly recorded. Even the statements of the accused/present petitioners namely Jaskiran Singh @ Jaskaran Singh, Simrajit Singh @ Vicky and Inderjit Singh @ Inderprit Singh have also been recorded and it has been opined that a compromise has been effected between the parties and

without any inducement, threat, coercion or undue influence.

Even though offence under section 307 I.P.C was cited on account of gun shot injuries suffered by the complainant Jaspal Singh on the right knee, yet, cognizance of the compromise that has been effected between the parties is being taken as such compromise has been effected at the very initial stage and during the course of investigation itself.

In the considered view of this Court, continuation of prosecution on the basis of the impugned F.I.R would amount to an abuse of the process of Court as also of the law. The compromise which has been effected between the parties would fall within the parameters/guidelines laid down by the Hon'ble Supreme Court in *Narinder Singh & others Vs. State of Punjab & another, 2014(2) R.C.R (Criminal), 482.*

In view of the above, the present petition is allowed. F.I.R. No.7 dated 18.1.2016 under sections 307, 34 I.P.C and sections 25, 27 of Arms Act, registered at Police Station, Dehlon, District Ludhiana and all proceedings emanating therefrom qua the present petitioners stand quashed.

Petition is disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

02.05.2016

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