

CRM-M-26223-2016

[1]

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

(Sr.No.248)

CRM-M-26223-2016

Date of Decision:-May 19, 2017

Manjeet Singh and others

.....Petitioners

V/S

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present : Mr. Ravinder Singh Bassi, Advocate,
for the petitioners.

Mr. D.S. Virk, DAG Punjab.

Mr. Sachin Bhardwaj, Advocate,
for respondent No.2-complainant.

A.B. Chaudhari, J. (Oral)

Heard learned counsel for the rival parties.

In FIR No.24 dated 20.05.2010 registered under Sections 307, 427, 148 and 149 of Indian Penal Code, 1860 (Sections 307 was deleted and Sections 336 and 341 were added lateron) and Sections 25, 27, 54/59 of Arms Act at Police Station City Kharar the petitioners are being prosecuted.

Learned counsel for the petitioners as well as the learned counsel for respondent No.2-complainant state that the compromise has been arrived at between the parties. This Court had directed the trial Court/Illaq Magistrate to record the statements vide order dated February 16, 2017 in view of the compromise effected between the parties and verify that whether the same is genuine or not. Now, there is a report received from the Sub Divisional

Judicial Magistrate, Kharar showing that the statements of the parties have been recorded and compromise that has been arrived at between the parties is genuine and without any pressure, coercion or undue influence.

I have carefully perused the FIR. Looking to the nature of offences registered in the FIR, I am satisfied that petitioners must deposit non-refundable costs in the sum of ₹25,000/- each (total ₹1,00,000/-) with the office of Senior Superintendent of Police, SAS Nagar, Mohali within a period of 15 days from today before quashment of the FIR, which shall be forfeited to the State government. Since the entire prosecution machinery was set in motion and thereafter the challan was also filed. Be that as it may, since they have decided to compound/compromise the offences in question, there is no likelihood of success in the prosecution case.

In that view of the matter, FIR No.24 dated 20.05.2010 registered under Sections 307, 427, 148 and 149 of Indian Penal Code, 1860 (Sections 307 was deleted and Sections 336 and 341 were added lateron) and Sections 25, 27, 54/59 of Arms Act is quashed by way of compounding/compromise subject to deposit costs by the petitioners as aforesaid along with all consequential proceedings arising therefrom.

In case of failure of payment of costs as aforesaid, the FIR in question shall stand automatically revived and the trial will continue against the petitioners.

Disposed of.

May 19, 2017

pankaj

(A.B. CHAUDHARI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No