

CRM No. M-27169 of 2017(O&M)

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No. M-27169 of 2017(O&M)
Date of Decision : 28.08.2017

Surinder Singh Toor and others

...Petitioners

versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Sharad Choudhary, Advocate for the petitioners.

Ms. Seena Mand, Deputy Advocate General, Punjab.

Mr. Naveen Bawa, Advocate for respondents No. 2 to 5.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking quashing of cross case No. 56, dated 30.06.2017 (Annexure P-1), under Sections 336, 34 IPC and under Sections 25/27/54/59 of Arms Act, registered at Police Station City Tarn Taran, District Tarn Taran in FIR No. 135, dated 27.06.2017, under Sections 336, 34 IPC and Sections 25 and 27 of Arms Act, registered at Police Station City Tarn Taran, District Tarn Taran, on the basis of compromise (Annexure P-2), which has been arrived at between the parties.

Learned counsel for the petitioners contends that the FIR is an outcome of misunderstanding between neighbours and no injury has been caused to anyone and now the matter has been resolved with the intervention of the respectables.

This Court vide order dated 28.07.2017 had directed

the parties to appear before the Illaqa Magistrate for recording their statements with regard to the genuineness of compromise. The Chief Judicial Magistrate, Tarn Taran, has sent his report dated 11.08.2017, wherein it is stated that in pursuance to the order of this Court, statements of the parties were recorded. As per the statements, compromise has been effected without any coercion or undue influence.

The FIR is an outcome of a misunderstanding between neighbours and no injury has been caused to anyone and the matter has been compromised with the intervention of respectables.

In view of the law laid down in "*Narinder Singh Vs. State of Punjab*" 2014 (6) SCC 466, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and cross case No. 56, dated 30.06.2017 (Annexure P-1), under Sections 336, 34 IPC and under Sections 25/27/54/59 of Arms Act, registered at Police Station City Tarn Taran, District Tarn Taran in FIR No. 135, dated 27.06.2017, under Sections 336, 34 IPC and Sections 25 and 27 of Arms Act, registered at Police Station City Tarn Taran, District Tarn Taran and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners only.

August 28, 2017
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(ANUPINDER SINGH GREWAL)
JUDGE

<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>No</i>