

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

CRM-M No.40963 of 2016

Date of Decision: 08.02.2017

Harman Dhindsa @ Lakhi and others

. . . Petitioners

Versus

State of Punjab and another

. . . Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Ankit Duggal, Advocate
for the petitioners.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

Mr. R.S. Gill, Advocate
for respondent No. 2.

Tejinder Singh Dhindsa, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.128 dated 23.08.2016, under Sections 307, 336, 341, 427, 506, 148, 149 IPC and Sections 25, 27 of the Arms Act, registered at Police Station, Morinda, District Ropar.

Since quashing was sought on the basis of compromise, this Court, while issuing notice of motion on 17.11.2016, has directed the parties to appear before the concerned Illaqua Magistrate for recording of their statements in

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support of compromise and even a report as regards veracity of the compromise had been called for.

Placed on record is a report dated 01.02.2017 of the learned Judicial Magistrate Ist Class, Rupnagar, and a perusal of the same would reveal that the statements of the complainant/respondent No. 2-Talvir Singh as also accused Harman Dhindsa @ Lakhi, Parminder Singh @ Mangi, Amanpreet Singh @ Aman @ Amna and Sukhdeep Singh @ Lovely (petitioners herein) have been duly recorded and it has been opined that a compromise has been effected between the parties without any undue influence, pressure or coercion. Even the statements of the parties that have been recorded stand duly appended along with the report.

Mr. Rajdeep Singh Gill, Advocate has put in appearance on behalf of the complainant/ respondent No.2 and admits the factum of compromise. He further states that in the light of compromise, he would have no objection to the FIR being quashed.

It would be apposite to notice that although the offence under Section 307 IPC has been cited, but concededly it is a case of no injury.

FIR came to be registered on the statement of Talvir Singh and compromise has been arrived at between the parties during the course of investigation itself.

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In the considered view of this Court, the compromise entered into between the parties is liable to be recognized as per parameters laid down by Hon'ble Supreme Court of India in **'Narinder Singh and othes Vs. State of Punjab and another 2014 (2) RCR (Criminal) 482.**

In the light of the compromise having been effected between the parties, it would be a futile exercise for the criminal proceedings to continue as such. It would be construed as an abuse of the process of law as also of the Court.

For the reasons recorded above, the present petition is allowed. FIR No.128 dated 23.08.2016, under Sections 307, 336, 341, 427, 506, 148, 149 IPC and Sections 25, 27 of the Arms Act, registered at Police Station, Morinda, District Ropar and all proceedings emanating therefrom stand quashed.

Petition allowed.

[TEJINDER SINGH DHINDSA]
JUDGE

08.02.2017
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Whether Speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No