

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-9547 of 2015
Date of Decision : 05.07.2017

Lovenirman Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Manpreet Singh, Advocate for the petitioners.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

Mr. Parampreet S. Bajwa, Advocate for respondent No. 2.

Anupinder Singh Grewal, J.(Oral)

The petitioners are seeking quashing of FIR No. 127, dated 12.08.2014, under Sections 307, 386, 323, 341, 325, 427, 148, 149 IPC and Sections 25/27/54/59 of Arms Act and Section 3 and 4 of SC/ST (Prevention of Atrocities Act, 1989), which was added later on vide DDR dated 31.10.2014, registered at Police Station Nihalsinghwala, District Moga, on the basis of compromise dated 05.11.2014 and 01.12.2014 (Annexures P-2 and P-3 respectively), which have been arrived at between the parties.

A coordinate Bench of this Court vide order dated 27.07.2015 had directed the trial Court to record the statements of the parties with regard to the genuineness of the compromise and send a report in this regard. The report of the trial Court dated 07.09.2015 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties have been recorded, which indicates that the compromise, which has been arrived at between the parties, is genuine and without any undue coercion or pressure.

Learned counsel for respondent No. 2 states that the matter has indeed been compromised and it would be in the interest of justice, if the FIR is quashed as no useful purpose would be served in carrying on with the prosecution.

The FIR was registered, *inter alia*, under Section 307 IPC. However, learned counsel for the parties are ad-idem that the injuries, which have been sustained by the complainant, are on non-vital parts of the body and are simple in nature.

In view of the fact that the injuries are on non-vital parts of the body of the complainant and are simple in nature, the case falls within the parameters laid down by the Supreme Court in the case of ***Narinder Singh Vs. State of Punjab***, 2014(6) SCC 466.

Consequently, the petition is allowed and FIR No. 127, dated 12.08.2014, under Sections 307, 386, 323, 341, 325, 427, 148, 149 IPC and Sections 25/27/54/59 of Arms Act and Section 3 and 4 of SC/ST (Prevention of Atrocities Act, 1989), which was added later on vide DDR dated 31.10.2014, registered at Police Station Nihalsinghwala, District Moga, and all consequential proceedings are hereby quashed qua the petitioners.

July 05th, 2017
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(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned? Yes

Whether reportable? No