

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-8680 of 2017

.....

Date of decision:1.6.2017

Sarvjeet alias Sarabjeet Singh and others

.....Petitioners

v.

State of Haryana and others

.....Respondents

....

Present: Mr. Vishwajeet Mehla, Advocate for Mr. Vikram Singh,  
Advocate for the petitioners.

Mr. Brijesh Sharma, Assistant Advocate General, Haryana for  
the respondent-State.

Mr. Sandeep Lather, Advocate for the complainant-respondents  
No.2 to 4.

.....

**Inderjit Singh, J.**

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.0262 dated 20.6.2016 (Annexure-P.1) registered for the offences under Sections 307, 506 and 34 and Section 27 of the Arms Act at Police Station Safidon, District Jind and all subsequent proceedings arising therefrom in view of the compromise (Annexure-P.2).

The FIR has been registered on the statement of complainant-Lakha Singh on the allegations that the accused-petitioners attacked him and respondents No.3 and 4 and inflicted injuries. Petitioner Jassa Singh alias Harjit Singh took the gun from his father and fired upon them. A gun pellet hit upon his left wrist and Jaswinder Kaur was hit by gun pellets on her left leg, two pellets in the stomach and one on left wrist and Lakhjit

Kaur was hit by gun pellet on her waist. On hearing gun shots many people came there. On seeing them, the accused persons fled away from the spot. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before learned trial Court for getting their statements recorded in support of the compromise. After doing the needful, learned Sessions Judge, Jind has sent report dated 24.5.2017 submitting that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Learned counsel for the petitioners argued that no injury dangerous to life has been inflicted and now the parties have entered into a compromise. He further argued that the complainant side also inflicted injuries to the petitioners and FIR No.0264 dated 21.6.2016 for the offences under Sections 324 and 34 and (Section 326 IPC, which was added later on) was got registered against them at Police Station Safidon, District Jind, which has already been quashed by this Hon'ble Court.

Learned Assistant Advocate General, Haryana, on instructions from the Investigating Officer and learned counsel for the complainant-respondents No.2 to 4 admit the factum of compromise and submit that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR in view of the law laid down by the Hon'ble Supreme Court.

[3]

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

In a decision, based on compromise, none of the parties is a loser. Rather, compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

Therefore, keeping in view the fact that the matter has been amicably settled and in view of the law laid by the Hon'ble Supreme Court in Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543, this petition is allowed and FIR No.0262 dated 20.6.2016 (Annexure-P.1) registered for the offences under Sections 307, 506 and 34 and Section 27 of the Arms Act at Police Station Safidon, District Jind and all subsequent proceedings arising out of the same are hereby quashed qua the petitioners.

June 1, 2017.

**(Inderjit Singh)**  
**Judge**

\*hsp\*

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| <b>NOTE:</b> | Whether speaking/reasoned: | Yes |
|              | Whether reportable:        | No  |