

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

241

**CRM-M-9575-2017
DATE OF DECISION: 11.10.2017**

RAKESH AND ORS.

... Petitioner(s)

Versus

STATE OF HARYANA AND ANR.

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Manish Soni, Advocate
for the petitioner(s).

Mr. Karan Sharma, AAG, Haryana.

Mr. Suresh Kumar Kaushik, Advocate
for respondent No.2.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking quashing of FIR No.81 dated 16.02.2016, under Sections 148, 149, 453, 323, 386, 506 IPC, and Sections 25/54/59, 27/54/59 of Arms Act, registered at Police Station Kherki Daula, District Gurgaon, on the basis of compromise (Annexure P-2) arrived at between the parties.

Learned counsel for the petitioners contends that the FIR is outcome of a dispute with regard to agreement to sell and although sections of the Arms Act have been mentioned but no gun shot was fired and the recovered weapon is duly licensed. Learned counsel further states that the matter has now been compromised with the intervention of respectables.

This Court by the order dated 11.09.2017 had directed the parties to appear before the trial Court to record the statements of the parties with regard to genuineness of the

compromise and send a report to this Court. The report of Civil Judge (Jr. Divn.), Gurugram, dated 29.09.2017 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded which indicates that the compromise is genuine, without any coercion or undue influence.

The FIR is outcome of a dispute with regard to agreement to sell and although sections of the Arms Act have been mentioned but no gun shot was fired and the recovered weapon is duly licensed. The matter has now been compromised with the intervention of respectables.

In view of the mandate of the Hon'ble Supreme Court in the case of ***Narinder Singh and others Vs. State of Punjab and another, (2014) 6 SCC 466***, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.81 dated 16.02.2016, under Sections 148, 149, 453, 323, 386 & 506 IPC, and Sections 25/54/59, 27/54/59 of Arms Act, registered at Police Station Kherki Daula, District Gurgaon (Annexure P-1) and all subsequent proceedings arising therefrom, are hereby quashed qua the petitioner(s).

11.10.2017

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No