

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

CRM-M No.12768 of 2017

Date of Decision: 17.04.2018

Gavanjeet Singh @ Gunny and others

. . . Petitioners

Versus

State of Punjab and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Maninder Singh Bajwa, Advocate
for the petitioners.

Ms. Simaranjeet Kaur, AAG, Punjab.

Mr. J.S. Mahal, Advocate
for respondent Nos.2 and 3.

Raj Shekhar Attri, J. (Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.27 dated 07.03.2017 for offences punishable under Sections 323, 452, 307, 336, 148, 149 of the Indian Penal Code (for short 'IPC') and Sections 25, 27 of Arms Act, 1959, registered at Police Station Subhanpur, District Kapurthala and proceedings emanating therefrom on the basis of compromise (Annexures P-2) arrived at between the parties.

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In the present case, the FIR was registered on the statement of Ranjit Singh son of Balwinder Singh. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide order dated 11.01.2018, the parties were directed to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Kapurthala, wherein it has been reported that statements of the parties recorded and compromise entered between the parties is genuine, voluntarily and out of free will.

Status report of Shri Sundeep Singh, PPS, Deputy Superintendent of Police, Sub-Division Bholath, Kapurthala, filed by the learned State counsel, today in the Court, is taken on record, which transpires that Sections 307, 452 and 336 of the Indian Penal Code and Section 25 of Arms Act have been deleted.

Counsel for the State and respondent Nos.2 and 3 have not disputed that the parties i.e. petitioners, respondent No.2 (complainant/injured) and respondent No.3 (injured) have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the FIR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view authoritative enunciation of law laid down by Hon'ble the Supreme Court in **'Gian Singh v. State of Punjab and another', 2012**

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(4) R.C.R. (Criminal) 543 and in the light of facts and circumstances discussed hereinbefore, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that the same are put to an end.

For the foregoing reasons, the petition is allowed, FIR No.27 dated 07.03.2017 for offences punishable under Sections 323, 452, 307, 336, 148, 149 of the Indian Penal Code (for short 'IPC') and Sections 25, 27 of Arms Act, 1959, registered at Police Station Subhanpur, District Kapurthala and proceedings emanating therefrom stand quashed qua the petitioners.

[RAJ SHEKHAR ATTRI]
JUDGE

April 17, 2018
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Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No