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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.16240 of 2016
Date of Decision: 07.02.2018

Shalinder Singh @ Shehri and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Veneet Sharma, Advocate,
for the petitioners.

Mr. V.G. Jauhar, Senior D.A.,G., Punjab,
for respondent No.1.

Mr. Sandeep K.Sharma, Advocate,
for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused persons in F.I.R. No.106, dated 27.04.2016, under Sections 303, 336, 506, 148 and 149 of the Indian Penal Code and Sections 25/27 of the Arms Act, registered at Police Station City Sultanwind, District Amritsar, (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise.

2. With the intervention of respectables and elderly people of the society, respondent No.2 has arrived at a settlement with the accused vide Compromise Deed (Annexure P-2) which is duly signed by him. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Judicial Magistrate Ist Class, Amritsar, vide report dated 09.01.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Perusal of the F.I.R. itself goes to show that no injury whatsoever was caused to the complainant, and it is submitted on behalf of the State that no firearm as alleged therein could be recovered during investigation.

4. Respondent No. 2 is represented by his counsel and he does not oppose the compromise.

5. In the given circumstances and in view of the report of the Judicial Magistrate Ist Class, Amritsar, and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/accused persons.

6. In the circumstances, the present petition is allowed. F.I.R. No.106, dated 27.04.2016, under Sections 303, 336, 506, 148 and 149 of the Indian Penal Code and Sections 25/27 of the Arms Act, registered at

Police Station City Sultanwind, District Amritsar, (Annexure P-1), and all consequential proceedings arising therefrom are hereby quashed on the basis of compromise qua the present petitioners.

07.02.2018

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No