

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

CRM-M-17036 of 2016(O&M)

Date of Decision: 02.02.2018

Lovejit Singh and others

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

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

Mr. A.S. Dahliwal, DAG, Punjab.

Mr. Manjit Saini, Advocate for
Mr. Parminder Singh, Advocate
for respondent No.2.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition is filed praying for quashing FIR No.119 dated 16.05.2012, under Sections 307, 341, 427, 506, 148 and 149 of the Indian Penal Code and 25, 27, 54, 59 Arms Act, Police Station Catonement, District Amritsar, on the basis of compromise entered into between the parties.

2. Heard.

3. At the very outset, it is stated by learned counsel for the petitioner that qua petitioner No.4 the petition already stands dismissed as withdrawn vide order dated 04.12.2017.

4. Both the parties were directed by this Court vide order dated 08.09.2017 to appear before the learned Area Magistrate and get their statements recorded and in pursuance thereof, learned Judicial

Magistrate 1st Class, Amritsar, recorded the statements of both the parties and submitted a report dated 03.10.2017. A perusal of the report reveals that the compromise entered into between the parties is genuine and without any pressure, coercion, undue influence or inducement from any quarter. Even as on today petitioners No. 1 to 3 and respondent No.2 are not disputing the factum of compromise arrived at between them.

5. Learned State counsel has apprised this Court that there was no injury from the fire arms and it was on the ground. No objection has been raised by the learned State counsel on a specific query put to him by the Court with regard to quashing of the FIR as well as all other consequential proceedings on the basis of the compromise effected between the parties in this case.

6. Inasmuch as the dispute between petitioners No. 1 to 3 and respondent No.2 has been amicably settled and they have already entered into compromise, and the fact that no objection has been raised by the State, continuance of the prosecution would be an exercise in futility. Therefore, the aforesaid FIR and all consequent proceedings resulting therefore are quashed qua petitioners No. 1 to 3 and respondent No.2.

7. Petition is allowed.

[MAHABIR SINGH SINDHU]
JUDGE

February 02, 2018
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no