

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-16174 of 2017

Date of decision: 31.07.2018

Gagandeep Singh @ Gagan @ Titan and another .. Petitioners

Versus

State of Punjab and another .. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Ms. Rakhi Sharma, Advocate
for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

Ms. Mandeep Kaur, Advocate
for Mr. D.S. Sandhu, Advocate
for respondent no. 2.

SURINDER GUPTA, J.(Oral)

The petitioners have filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.295 dated 12.11.2013 (Annexure P-1), registered for offences punishable under Sections 307/34 Indian Penal Code (for short 'IPC') and 25 of Arms Act at Police Station Sultanwind, District Amritsar City, along with all consequential proceedings arising therefrom, on the basis of compromise dated 01.05.2017 (Annexure P-2).

As per case of the prosecution, complainant had to take a sum of ₹1,60,000/- from Rajinder Singh. When he demanded the said amount, petitioners fired at complainant but neither of the fire hit him. FIR was registered in the year 2013.

Learned State counsel submits that challan has not been filed and petitioners have also not been joined in investigation so far.

Learned counsel for the petitioners submits that the matter has

since been settled vide compromise, copy of which has been placed on file as

Annexure P-2.

Learned counsel for respondent No.2 has submitted that in view of the compromise(Annexure P-2), the respondent no. 2-complainant has no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed compromise (Annexure P-2).

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 16.05.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be genuine, voluntary in nature and without any coercion or undue influence.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

For the reasons as discussed above, the instant petition is allowed and the impugned FIR No. 295 dated 12.11.2013 (Annexure P-1) registered at Police Station Sultanwind, District Amritsar City along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

July 31, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No