

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

CRM-M No.18097 of 2017

Date of Decision : 21.03.2018

Amrik Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

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

Mr. Luvinder Sofat, Asstt. Advocate General, Punjab
for respondent No.1-State.

Mr. G.S. Rawat, Advocate
for respondents No.2 and 3.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are the accused persons in F.I.R No.66, dated 6th May, 2017, under Sections 324, 323, 336, 148, 149 of the Indian Penal Code and Sections 25, 27, 54, 59 of the Arms Act registered at Police Station Dhariwal, District Gurdaspur (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings pending therefrom, on the basis of compromise.

2. Now the complainant and injured have arrived at a settlement with the accused persons vide Compromise Deed (Annexure P-2), which is duly signed by them. 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 Ld. Chief Judicial Magistrate, Gurdaspur, vide report dated 8th June, 2017 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

It is ascertain that in the present case gun-shots were fired in the air and not actually at any person, and that the weapon used for that purpose was actually licensed. In the circumstances the rigors of the offence under the Arms Act would not appear to come in the way particularly considering that the matter has been amicably settled between the parties.

3. Respondents No. 2 and 3 are represented by their counsel and do not dispute the factum of compromise.

4. In view of the report of the Ld. Chief Judicial Magistrate, Gurdaspur, 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 respondents No.2 and 3 have themselves compromised the dispute with the petitioners/accused persons.

5. In the circumstances, the present petition is allowed. F.I.R No.66, dated 6th May, 2017, under Sections 324, 323, 336, 148, 149 of the Indian Penal Code and Sections 25, 27, 54, 59 of the Arms Act registered at Police Station Dhariwal, District Gurdaspur (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioners.

March 21, 2018
Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No