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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 23959 of 2017

Dated: 18.05.2018

SUKHWINDER SINGH @ SUKH AND OTHERS

..... Petitioners

Versus

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Balbir Singh Jaswal, Advocate
for the petitioners.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab
for the respondent No.1.

Ms. Kaavya Jariyal, Advocate
for the respondents No.2 to 8.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in cross case in DDR No. 31 dated 20.06.2016, Police Station Sadar Sangrur, District Sangrur in FIR No.94 dated 20.06.2016 under Sections 307,324,323,506,148,149 IPC and 25 and 27 of the Arms Act registered at Police Station Sadar Sangrur, District Sangrur (Annexure P1), have prayed for quashing of the aforesaid cross version with all subsequent proceedings on the basis of compromise.

[2]. With the intervention of respectables and elderly people of the

society, the complainant has arrived at a amicable settlement with the accused vide Compromise (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 Addl. Chief Judicial Magistrate, Sangrur, vide report dated 21.09.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3] It transpires that the gun shot is alleged to have been fired in the air and not directly to any person and no recovery of fire arm has been effected from the accused persons.

[4]. Respondents No.2 to 8 are represented by their counsel who does not have any objection to the quashing of FIR.

[5]. In view of the report of the Judicial Magistrate Ist Class, Rajpura, 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.

[5]. In the circumstances, the present petition is allowed. FIR No. 31 dated 20.06.2016, Police Station Sadar Sangrur, District Sangrur in case FIR No.94 dated 20.06.2016 under Sections 307,324,323,506,148,149 IPC and 25 and 27 of the Arms Act registered at Police Station Sadar Sangrur,

District Sangrur (Annexure P1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

30.04.2018
tarun sahani

(SUDIP AHLUWALIA)
JUDGE

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