

CRM-M-28837 of 2018

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

CRM-M-28837 of 2018
Date of Decision: 21.08.2018

Sandeep Singh and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Ithlesh, Advocate,
for Mr. A.S. Cheema, Advocate,
for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Gurjit S. Latheri, Advocate,
for respondent No.2.

RAMENDRA JAIN, J. (ORAL)

Vakalatnama on behalf of respondent No.2 filed in Court today is taken on record.

Prayer in the instant petition under Section 482 Cr.P.C. has been made for quashing FIR No.15 dated 02.03.2018 (Annexure P-1) registered under Sections 307, 506, 341, 295, 148, 149 IPC and Section 25 and 27 of the Arms Act at Police Station Dhilwan, District Kapurthala, and all subsequent proceedings arising therefrom, on the basis of compromise dated 01.07.2018 (Annexure P-2).

Pursuant to order dated 12.07.2018 of this Court, the parties appeared before the trial Court/Illaq Magistrate on 02.08.2018 to get their

Learned Judicial Magistrate Ist Class, Kapurthala, has

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submitted her report vide letter bearing No.863, dated 03.08.2018 duly forwarded by learned District and Sessions Judge, Kapurthala, vide Endst. No.1430, dated 09.08.2018.

According to the report, learned Judicial Magistrate Ist Class, Kapurthala, is satisfied that parties have entered into compromise and solved their differences without any undue influence, coercion and threat.

In the present case, police has added Section 307 IPC on the basis of allegations against the petitioners that they pointed out their gun towards the complainant. However, no shot was fired, nor complainant party suffered any injury. Therefore, Section 307 IPC *prima facie* is not made out.

In view of the totality of the facts and circumstances and considering the fact that the compromise will bring peace and harmony in relations between the parties, aforesaid FIR No.15 dated 02.03.2018 (Annexure P-1) registered under Sections 307, 506, 341, 295, 148, 149 IPC and Section 25 and 27 of the Arms Act at Police Station Dhilwan, District Kapurthala and all subsequent proceedings arising therefrom, are quashed, subject to payment of costs of ₹10,000/-, out of which ₹8,000/- shall be deposited with the following account:-

Account details:-	Chief Minister's Distress Relief Fund.
Account Number :-	67319948232
Bank:-	State Bank of India.
Branch:-	City Branch, Thiruvananthapuram
IFSC:-	SBIN0070028
PAN:-	AAAGD0584M
Account Type:-	Savings
SWIFT Code:	SBININBBT08

and ₹2,000/- with the Bar Council of Punjab and Haryana High Court

within one week from today, failing which this petition shall be deemed to

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be dismissed.

Disposed of accordingly.

List on 31.08.2018, for production of receipt with regard to deposit of aforesaid costs.

August 21, 2018
R.S.

(Ramendra Jain)
Judge

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No