

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

CRM-M No.34976 of 2017

Date of Decision: 26.03.2018

Gurwinder Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Amit Shukla, Advocate,
for the petitioner.

Mr. B.B. Menon, AAG, Punjab.

Mr. Vinod Kumar, Advocate
for respondent No. 2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is accused in F.I.R. No.72, dated 15.05.2017, under Section 336 of the Indian Penal Code, and Section 27 of the Arms Act, registered at Police Station Morinda, District Rupnagar, (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise/affidavit.

[2]. With the intervention of respectables and elderly people of the society, the complainant has arrived at a settlement with the accused vide affidavit (Annexure P-3), which is duly signed by him. 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 Additional Chief Judicial Magistrate, Rupnagar, vide report

dated 07.03.2018, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent No. 2 is represented by his counsel and he does not oppose the compromise.

[4]. In view of the report of the Additional Chief Judicial Magistrate, Rupnagar, 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 petitioner/ accused person.

[5]. In the circumstances, the present petition is allowed. F.I.R. No.72, dated 15.05.2017, under Section 336 IPC and Section 27 of the Arms Act, registered at Police Station Morinda, District Rupnagar, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

26.03.2018
Divyanshi

(SUDIP AHLUWALIA)
JUDGE

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