

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

**CRM-M-38629-2018 (O&M)
Date of decision: 21.11.2018**

Sandeep Singh @ Money and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Paramjit Singh Brar, Advocate
for the petitioners.

Mr. M.S. Nagra, AAG, Punjab.

Mr. Balkaran Singh, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.69 dated 07.07.2017, registered under Sections 307, 447, 427, 148, 149 of the Indian Penal Code (for short 'IPC') and Section 25, 27 of Arms Act at Police Station Bajakhana District Faridkot and subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

In the present case, the FIR was registered on the statement of Balkaran Singh son of Gurditta Singh. Now, dispute between the parties has been resolved.

Vide order dated 06.09.2018, the parties were directed to appear before the learned trial court/Illaq Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned trial court/Illaq Magistrate wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is voluntarily, genuine, without any pressure or undue influence.

Learned counsel for the State has not disputed that the parties i.e. petitioners, respondent No.2 (complainant) and respondent No.3, have arrived at a settlement with an intent to give burial to their differences.

It is a case of the prosecution that on the date of occurrence, Veerpal Kaur along with 4 unknown persons came on the vehicle and 6-7 unknown persons arrived on a tractor and they have been armed with deadly weapon and started cultivating land. They raised *lalkara* and three unknown persons took a revolver and one was fired the shot from the revolver to hit. Thus, it is a case of no injury.

After going through the material on record, this court is of the opinion that no case is made out for the offence under Section 307 IPC.

Perusal of allegations in the FIR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view authoritative enunciation of law laid down by Hon'ble the Supreme Court in **'Gian Singh v. State of Punjab and another', 2012 (4) R.C.R. (Criminal) 543** and in the light of facts and circumstances discussed hereinbefore, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that the same are put to an end.

For the foregoing reasons, the petition is allowed and FIR No.69 dated 07.07.2017, registered under Sections 307, 447, 427, 148, 149 IPC and Section 25, 27 of Arms Act at Police Station Bajakhana District Faridkot and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

November 21, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE