

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

**CRM NO. M-40608 OF 2017
DATE OF DECISION : 23.05.2018**

Jatinder Singh @ Javraj and another

...Petitioners

versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. B. S. Jaswal, Advocate,
for the petitioners.

Mr. K. S. Aulakh, DAG, Punjab.

Mr. Ankush Thakral, Advocate for
Mr. Ramesh Sharma, Advocate,
for respondent No.2.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking quashing of FIR No.204 dated 29.09.2017 under Sections 323/506/341 IPC, Sections 25/27 of the Arms Act and Section 3(2) (v) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in short "the SC/ST Act"), registered at Police Station Jandiala Guru, District Amritsar Rural (Annexure P-1), on the basis of compromise dated 22.10.2017 (Annexure P-2) arrived at between the parties.

Learned counsel for the petitioners contends that FIR is an outcome of a sudden quarrel between the parties and no one was injured in the occurrence. He further contends that although Sections 25/27 of the Arms Act have been mentioned in the FIR, but no fire arm injury was caused to anyone. It is also contended that the

allegations prima-facie do not constitute an offence under the SC/ST Act.

A co-ordinate Bench of this Court by the order dated 31.10.2017 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements with regard to veracity of the compromise. The Judicial Magistrate Ist Class, Amritsar, has sent her report dated 01.12.2017, wherein it is stated that in pursuance to the order of this Court, statements of the parties were recorded. As per the statements, compromise has been effected without any fear or undue influence.

The FIR is an outcome of a sudden quarrel between the neighbours which has now been resolved.

In view of the law laid down in "**Narinder Singh Vs. State of Punjab**" 2014 (6) SCC 466, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No. 204 dated 29.09.2017 under Sections 323/506/341 IPC, Sections 25/27 of the Arms Act and Section 3(2) (v) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in short "the SC/ST Act"), registered at Police Station Jandiala Guru, District Amritsar Rural and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners only.

(ANUPINDER SINGH GREWAL)
JUDGE

MAY 23, 2018
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Whether speaking/reasoned	:	Yes	/	No
Whether reportable	:	Yes	/	No

