

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

**CRM-M No.40894 of 2017
Date of Decision : 12.01.2018**

Satnam Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Deepak Aggarwal, Advocate
for the petitioners.

Mr. K.S. Aulakh, Deputy Advocate General, Punjab
for respondent No.1-State.

Mr. Sandeep Sharma, Advocate
for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are the accused persons in F.I.R No.95, dated 10th October, 2017, under Sections 336/506 of the Indian Penal Code and Sections 188/34 of the IPC read with Section 27 of the Arms Act added later on, registered at Police Station S.G.N. Dev Thermal Plant, District Bathinda (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings pending therefrom, on the basis of compromise.

2. Now the complainant/respondent No.2 has arrived at a

settlement with the accused persons vide Compromise Deed (Annexure P-2), 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 Ld. Judicial Magistrate 1st Class, Bathinda, vide report dated 19th December, 2017 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondents No. 2 is represented by his counsel and does not dispute the factum of compromise.

4. Perusal of the original FIR (Annexure P-1) itself shows that the gun-shot was fired in the air without being actually aimed at anyone from the petitioner's "licensed revolver". In the given circumstances, rigors of the Arms Act would not appear to be attracted in the present case.

5. In view of the report of the Judicial Magistrate 1st Class, Bathinda, 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. F.I.R No.95, dated 10th October, 2017, under Sections 336/506 of the Indian Penal Code and Sections 188/34 of the IPC read with Section 27 of the Arms Act added later on, registered at Police Station S.G.N. Dev Thermal Plant, District Bathinda (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioners.

January 12, 2018

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No