

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-42272 of 2017

.....

Date of decision:5.2.2018

Gurdeep Singh alias Meema and others

.....Petitioners

v.

State of Punjab and another

.....Respondents

....

Present: Mr. Madhur Goyal, Advocate for the petitioners.

Mr. Amandeep Singh Gill, Senior Deputy Advocate General,
Punjab for the respondent-State.

Mr. Prappan Uppal, Advocate for the complainant-respondent
No.2.

.....

Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.226 dated 2.10.2011 (Annexure-P.1) registered for the offences under Sections 307, 427, 201 and 34 IPC and Sections 25 and 27 of the Arms Act, 1959 at Police Station Sadar Dhuri, District Sangrur and all subsequent proceedings arising therefrom in view of the compromise (Annexure-P.2) entered into between the parties.

Learned counsel for the petitioners has submitted that the FIR has been lodged with the allegation that the petitioners fired shot on them and took away his car which was because of the verbal argument which took place between them for electricity wires. Now with the intervention of respectable persons, the matter has been amicably settled between the

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parties and they have resolved their dispute amongst themselves with the help of respectable persons known to both the parties. Respondent No.2 has no objection if the above mentioned FIR is quashed.

Learned counsel for the petitioner argued that it is a no injury case and the matter has been amicably compromised between the parties.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before learned trial Court for getting their statements recorded in support of the compromise. After doing the needful, learned Judicial Magistrate Ist Class, Dhuri, has sent his report dated 3.1.2018 submitting that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Learned Senior Deputy Advocate General, Punjab, on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit the factum of compromise and submit that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR in view of the law laid down by the Hon'ble Supreme Court.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

In a decision, based on compromise, none of the parties is a loser. Rather, compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that

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both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

Therefore, keeping in view the fact that the matter has been amicably settled and in view of the law laid by the Hon'ble Supreme Court in Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543, this petition is allowed and FIR No.226 dated 2.10.2011 (Annexure-P.1) registered for the offences under Sections 307, 427, 201 and 34 IPC and Sections 25 and 27 of the Arms Act, 1959 at Police Station Sadar Dhuri, District Sangrur and all subsequent proceedings arising out of the same are hereby quashed qua the petitioners.

February 5, 2018.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No