

CRM No. M-4512 of 2018

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No. M-4512 of 2018
Date of Decision : 09.10.2018

Sandeep Singh and others

...Petitioners

versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Tejinder Pal Singh, Advocate for the petitioners.

Mr. Ajay Pal Singh Gill, Deputy Advocate General,
Punjab.

Mr. Madhur Goyal, Advocate for respondent No. 2.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking quashing of FIR No. 152, dated 01.08.2016, under Sections 354, 354-B, 506, 34, 201 IPC and Section 25/27/54/59 of the Arms Act, registered at Police Station Sadar Dhuri, District Sangrur, on the basis of compromise (Annexure P-2) arrived at between the parties.

Learned counsel for the petitioners contends that FIR is an outcome of misunderstanding between the parties, which has now been resolved and the matter has been compromised. Learned counsel further contends that *prima-facie* case under the Arms Act is not made out as there is no allegation of gun shot being fired. The allegation only pertains to brandishing of pistol.

Learned counsel for respondent No. 2 states that the matter has indeed been compromised.

A co-ordinate Bench of this Court vide order dated 28.08.2018 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements with regard to the genuineness of compromise. The report of the Judicial Magistrate Ist Class, Dhuri, dated 12.09.2018 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded, which indicates that they have entered into compromise without any pressure or coercion.

The FIR is an outcome of misunderstanding between the parties and now the matter has been compromised.

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. 152, dated 01.08.2016, under Sections 354, 354-B, 506, 34, 201 IPC and Section 25/27/54/59 of the Arms Act, registered at Police Station Sadar Dhuri, District Sangrur and all consequential proceedings arising therefrom, are hereby quashed qua the petitioner only.

(ANUPINDER SINGH GREWAL)
JUDGE

October 09, 2018
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<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>No</i>