

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

CRM-M-45720-2018

Date of decision: 10.12.2018

Lakhwinder Singh and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. P.B.S.Goraya, Advocate, for the petitioners.

Mr. Rajat Bansal, AAG, Punjab.

Ms. Amandeep Kaur, Advocate,
for respondent No. 2.

RAJ SHEKHAR ATTRI, J.

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.0088 dated 19.11.2017 for offences punishable under Sections 307/506/148/149 of IPC and Sections 25/27 of Arms Act, registered at Police Station Mehta, District Amritsar Rural and all the proceedings emanating therefrom on the basis of compromise (Annexure P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Harpreet Singh @ Sonu son of Chanchal Singh. Now, dispute between the parties has been resolved by way of compromise.

Vide order dated 16.10.2018 the parties were directed to appear before the trial Court/Illaq Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Sub Divisional Judicial Magistrate, Baba Bakala Sahib, wherein it has been reported that statements of the parties have been recorded and they have compromised the matter voluntarily, without any pressure or coercion.

CRM-M-45720-2018

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

The learned State counsel conceded that the gun shot was fired in the air and none was injured in the incident. Thus, offence under Section 307 IPC is not made out in this case.

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, FIR No.0088 dated 19.11.2017 for offences punishable under Sections 307/506/148/149 of IPC and Sections 25/27 of Arms Act, registered at Police Station Mehta, District Amritsar Rural and all the proceedings emanating therefrom stand quashed qua the petitioners.

December 10, 2018
smriti

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no