

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

Crl. Misc. No. M-48910 of 2017 (O&M)

Date of decision: July 12, 2018

Gursewak Singh and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Amit Arora, Advocate
for the petitioners.

Ms. Monika Jalota, D.A.G. Punjab.

Mr. Parminder Singh Kanwar, Advocate
for respondents No.2 and 3.

SURINDER GUPTA, J.(Oral)

The petitioners have filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.230 dated 21.10.2017 (Annexure P-1), registered for offences punishable under Sections 323, 324, 336, 379, 427 read with Section 34 of Indian Penal Code (for short 'IPC'), Section 326 IPC added later on and 25, 27 of Arms Act, at Police Station City Tarn Taran, along with all consequential proceedings arising therefrom, on the basis of the compromise by way of affidavit (Annexure P-2) of Sarwan Singh father of respondents No.2 and 3.

As per case of the prosecution, petitioners caused injuries to private respondents out of whom respondent No.2-Sukhmanpal Singh was minor.

Learned State counsel on instructions from ASI Vipin Kumar

submits that though the police has registered case under Sections 25 and 27 of Arms Act as well but no firearm injury was caused and no firearm was recovered in this case.

Learned counsel for the petitioners submits that the matter has since been settled vide affidavit of Sarwan Singh, father of respondents No.2 and 3.

On behalf of minor respondent No.2, statement of his father has been recorded, who has stated that matter has since been compromised.

Keeping in view the fact that matter has since been amicably settled, I find it appropriate to allow Sarwan Singh to compromise for the injuries suffered by his minor son Sukhmanpal Singh.

As per report of trial Court, the compromise has been effected between the complainant and the accused, which appears to be voluntary in nature and without any pressure or influence.

Learned counsel for respondent No.2 and 3 endorses the submission of learned counsel for the petitioners and has no objection if the impugned FIR (Annexure P-1) is quashed.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

For the reasons as discussed above, the instant petition is

allowed and the impugned FIR No.230 dated 21.10.2017 (Annexure P-1),

registered for offences punishable under Sections 323, 324, 336, 379, 427 read with Section 34 IPC (Section 326 IPC added later on) and 25, 27 of Arms Act, at Police Station City Tarn Taran, along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

(SURINDER GUPTA)
JUDGE

July 12, 2018
Sachin M.

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No