

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

CRM-M-9657-2018

Date of decision:- 03.05.2018

**Amrinder Singh**

**.....Petitioner**

**Versus**

**State of Punjab and another**

**.....Respondents**

**CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. M.S. Brar, Advocate, for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab.

Mr. Karanjit Singh Gill, Advocate,  
for respondent No.2.

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**MAHABIR SINGH SINDHU, J. (ORAL)**

Present petition is filed praying for quashing FIR No.129 dated 21.08.2017, under Sections 336 and 506 IPC and Section 27 of the Arms Act, registered at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib, on the basis of compromise entered into between the parties.

2. While issuing notice of motion, the following order was passed by this Court on 08.03.2018: -

“Notice of motion.

On the asking of the Court, Mr. A.S. Dhaliwal, DAG, Punjab, accepts notice on behalf of respondent No.1 and Mr. Karanjit Singh Gill, Advocate, accepts notice on behalf of respondent No.2 and filed his

power of attorney. Same is taken on record. Copies of the petition be supplied to learned counsels for the respondents during the course of the day.

It is jointly stated by learned counsel for the petitioners as well as respondent No.2 that the matter has been compromised between the parties, vide compromise/affidavit dated 15.02.2018 (Annexure P-2) and they are ready to get their statements recorded before the learned Illaqa Magistrate.

Parties are directed to appear before the learned Illaqa Magistrate on 28.03.2018 to get their statements recorded with regard to compromise. The Illaqa Magistrate is directed to submit a report to this Court on or before the next date of hearing containing the following information:-

- i. Number of persons arrayed as accused in FIR.
- ii. Whether any accused is proclaimed offender.
- iii. Whether the compromise is genuine, voluntary and without any coercion or undue influence.

List on 17.04.2018.

Meanwhile, learned State counsel shall get the instructions in the matter.”

3. In terms of order dated 08.03.2018, learned Additional Chief Judicial Magistrate, Sri Muktsar Sahib, recorded the statements of both the parties and submitted a report dated 28.03.2018 and operative part of the same reads as under: -

“Thus in the light of the aforementioned statements so suffered by complainant Kulwinder Singh Brar and petitioner/accused Amrinder Singh, I am of the considered opinion that the compromise between the parties is genuine and is free from any coercion, or undue influence. It is further most humbly submitted that as per the statement of ASI Kuldeep Singh the Investigating Officer of the present FIR, no proclamation proceedings are pending against either of the parties and only petitioner was arrayed as an accused in present case.”

4. A perusal of the report reveals that the compromise entered into between the parties is genuine, voluntarily, without any pressure or

undue influence. Even before this Court also, the parties are not disputing the factum of compromise arrived at between them.

5. Learned State counsel, on instructions from the Investigating Officer, states that the cancellation report has been prepared on 14.01.2018 in this case. On a specific query put to him by the Court, he states that he has no objection with regard to quashing of the FIR as well as all other consequential proceedings on the basis of the compromise effected between the parties.

6. In view of the above, this Court is fully convinced that the offences are entirely personal in nature and do not affect any public peace or tranquillity and thus, quashing of FIR in question along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice. Accordingly, the impugned FIR and all consequential proceedings resulting therefrom, qua petitioner, are hereby quashed.

7. Petition is allowed.

( MAHABIR SINGH SINDHU)  
JUDGE

May 03, 2018  
naresh.k

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| Whether reportable?        | Yes |
| Whether reasoned/speaking? | Yes |