

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANIDGARH

274

CRM-M-1687 of 2019 (O&M)

Date of Decision: 06.05.2019

Kulwinder Singh @ Kinda

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ramesh Sharma, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. B.S. Jaswal, Advocate
for respondents No.2 and 3.

ANIL KSHETARPAL, J (ORAL)

In this petition, quashing of FIR No.33 dated 04.05.2013 registered under Sections 307, 506 and 34 of the Indian Penal Code and Sections 25, 54, 59 of the Arms Act, 1959, Police Station Nurmahala, District Jalandhar, has been sought on the basis of compromise (Annexure P-5).

In compliance of the order dated 17.01.2019 passed by this Court, the parties got their statements recorded before the learned trial Court.

Learned State counsel has submitted that the police has carried out the investigation twice but no incriminating material was found against the petitioner.

As per report of the Judicial Magistrate Ist Class, Phillaur, the compromise between the respondents/complainant and the petitioner- Kulwinder Singh @ Kinda is voluntarily and genuine.

Since the police has also failed to find out any incriminating material against the petitioner after carrying out the investigation, therefore, this Court is of the view that in view of the compromise arrived at between the parties, FIR No.33 dated 04.05.2013 registered under Sections 307, 506 and 34, IPC and Sections 25, 54, 59 of the Arms Act, 1959, Police Station Nurmahala, District Jalandhar and the subsequent proceedings arising therefrom are ordered to be quashed, however, qua the petitioner only.

Accordingly, the present petition is allowed.

06.05.2019

D.Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No