

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

CRM-M-17388-2018 (O&M)

Date of decision : 01.05.2019

Harchand Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

Mr. Ramdeep Pratap Singh, DAG, Punjab.

ANIL KSHETARPAL, J. (ORAL)

Although petitioners are alleged to have been involved in the case under Section 307 of the Indian Penal Code apart from other Sections, however, from the reading of the FIR, it is clear that the petitioners are young boys who in the spur of moment entered into the conflict. Parties have already entered into the settlement.

Report of Chief Judicial Magistrate, Amritsar after recording the statements has been received certifying that the compromise is bona fide, without any pressure and the same seems to be genuine.

Learned counsel for the petitioners as well as learned counsel for the State are ad idem that none of the petitioners is proclaimed offender.

After hearing the learned counsel for the parties and after going through the record of the case, this Court is of the considered opinion that it

is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at an out of Court settlement by way of compromise. The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

For the aforesaid view, this Court finds support from **Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, approved by Hon'ble Apex Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**,

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.0483 dated 30.09.2017 registered under Sections 307, 452, 148, 149 IPC and Sections 25/27/54/59 of the Arms Act at Police Station Civil Lines, District Police Commissionerate, Amritsar, and the consequential proceedings arising therefrom are ordered to be quashed, however, qua the petitioners only. Petitioners who are young blood are warned to be careful in future.

Resultantly, with the above-said observations made, the instant petition stands allowed.

01.05.2019*Pawan***(ANIL KSHETARPAL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**