

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

**CRM-M-23448-2018 (O&M)**

**Date of decision: March 19, 2019**

**Gurvinder Singh @ Gurjinder Singh @ Binder Sarpanch and another**

**...Petitioners**

**Versus**

**The State of Punjab and another**

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI**

Present: Mr. J.S. Brar, Advocate  
for the petitioners.

Mr. V.G. Jauhar, Senior DAG, Punjab.

Mr. H.R. Bhardwaj, Advocate  
for respondent No.2.

**RAJ SHEKHAR ATTRI, J.(ORAL)**

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.10 dated 01.03.2018, under Sections 354-B, 341, 506, 511, 34 of the Indian Penal Code, 1860 (for short 'IPC') and Sections 25 and 27 of the Arms Act, registered at Police Station Lakhewali, District Sri Muktsar Sahib and subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

In the present case, the FIR was registered on the statement of Harpreet Kaur @ Bholi wife of Gurjit Singh. Now, dispute between the parties has been resolved.

Vide order dated 11.01.2019, the parties were directed to appear before the learned trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Sub Divisional Judicial Magistrate, Malout, wherein it has been reported that

statements of the parties have been recorded and compromise entered between the parties is voluntarily and without any threat or any undue influence.

Learned State counsel as well as learned counsel for respondent No.2 have not disputed that the parties i.e. petitioners, respondent No.2 (complainant), have arrived at a settlement with an intent to give burial to their differences.

It has been submitted that although Gurvinder Singh @ Gurjinder Singh @ Binder was having a licensed weapon but it was not never used in the crime.

This court is of the view that offences under Sections 25 and 27 of Arms Act are not made 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. Consequently, FIR No.10 dated 01.03.2018, under Sections 354-B, 341, 506, 511, 34 IPC and Sections 25 and 27 of the Arms Act, registered at Police Station Lakhewali, District Sri Muktsar Sahib and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

**March 19, 2019**  
*m. sharma*

**(RAJ SHEKHAR ATTRI)**  
**JUDGE**

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