

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

**Crl. Misc. No.M-23957 of 2017 (O&M)
Date of Decision: July 25, 2019**

Amandeep Singh and others

.....PETITIONERS

VERSUS

State of Punjab and others

.....RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. P.S.Kanwar, Advocate
for the petitioners.

Mr. Arpinder Singh Sidhu, D.A.G., Punjab.

Mr. Amit Arora, 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. 73 dated 16.07.2015 (Annexure P-1), registered for offences punishable under Sections 452, 323, 148 read with Section 149 of Indian Penal Code (for short 'IPC') and 25/27 Arms Act at Police Station Jhabhal, District Tarn Taran along with all consequential proceedings arising therefrom, on the basis of the compromise by way of affidavit (Annexure P-3).

As per case of the prosecution, the occurrence took place on 06.07.2015 over a dispute regarding the passage abutting the house of accused. While injuries with blunt and sharp edged weapons have been attributed to the petitioners, it has been alleged that petitioner No.2-

Gursewak Singh had fired two shots with his rifle.

Learned counsel for the petitioners submits that the matter has since been settled vide compromise, copy of which has been placed on file as Annexure P-3.

Learned State counsel submits that it is a case of no fire arm injury. The rifle recovered from petitioner No. 2 Gursewak Singh is a licensed rifle.

Learned counsel for respondents 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.

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its reports dated 06.11.2018 and 31.01.2019 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any pressure or influence. Respondent No. 2 has specifically stated that she has effected compromise with petitioners No. 5. It is a no fire arm injury case and the weapon allegedly used to fire in air was also a licensed weapon.

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

For the reasons as discussed above, the instant petition is allowed and FIR No. 73 dated 16.07.2015 (Annexure P-1), registered at Police Station Jhabhal, District Tarn Taran along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

(SURINDER GUPTA)
JUDGE

July 25, 2019
Jyoti-II

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No