

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

CRM-M-32918-2018 (O&M)

Date of decision : 19.07.2019

Paramjit Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Ritesh Pandey, Advocate for the petitioners.

Ms. Rajni Gupta, Sr. DAG, Punjab.

Mr. Manoj Sharma, Advocate for respondent No.2.

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**ANIL KSHETARPAL, J. (ORAL)**

The petitioners have approached this Court by way of instant petition under Section 482 of the Code of Criminal Procedure (for short 'Cr.P.C.') invoking its inherent jurisdiction for quashing of FIR No.06 dated 07.02.2018 registered under Sections 307, 452, 148, 149 of the Indian Penal Code ('IPC' for short), and 25, 27, 54, 59 of Arms Act at Police Station Kotli Surat Mallian, Tehsil Batala Police District Batala, District Gurdaspur, and the consequential proceedings arising therefrom, on the basis of compromise.

Notice of motion was issued.

In compliance of the order dated 02.08.2018 passed by this Court, the parties got their statements recorded before the learned trial court. Consequently, a report dated 10.09.2018 sent by the learned Judicial Magistrate Ist Class, Batala has been received which is available on record of the case along with the statements of the parties. Learned Magistrate has reported that the parties have made their statements voluntarily and without any pressure. The compromise arrived at between the parties has been found to be a genuine

one.

Parties are resident of same village. Although, allegations are with regard to firing of double barell gun, however, it is a case of no injury.

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.06 dated 07.02.2018 registered under Sections 307, 452, 148, 149 of the Indian Penal Code ('IPC' for short), and 25, 27, 54, 59 of Arms Act at Police Station Kotli Surat Mallian, Tehsil Batala Police District Batala, District Gurdaspur and the consequential proceedings arising therefrom, are ordered to be quashed, on the basis of compromise, however, qua the petitioners only.

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

**19.07.2019**

*Pawan*

**(ANIL KSHETARPAL)**  
**JUDGE**

**Whether speaking/reasoned:- Yes/No**  
**Whether reportable:- Yes/No**