

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-53074-2018 (O&M)

Date of Decision:- 27.3.2019

Samandeep Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. G.S.Jagpal, Advocate, for the petitioners.

Ms. Rashmi Attri, AAG, Punjab.

Mr. G.S.Bains, Advocate, for the complainant.

GURVINDER SINGH GILL, J. (Oral)

1. The present petition has been filed for quashing of FIR No.303, dated 3.11.2018, registered at Police Station Patran, District Patiala, under Sections 307, 427, 34 IPC and under Section 25 of Arms Act, and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 3.12.2018 the parties had been directed to appear before the trial Court/ Illaqa Magistrate so as to get the statements recorded.
3. Report of learned Judicial Magistrate 1st Class, Samana, has been received wherein it has been reported that statements of complainant Lakha Ram and of petitioners/accused Samandeep Singh, Sarabjit

Singh @ Sahib Singh and Mukhtiar Singh, have been recorded to the effect that they have entered into a compromise with the intervention of respectables. Although, it is a case where offence under Section 307 IPC is also mentioned in the FIR but in fact it is a case where nobody has been injured and the gun shot allegedly fired is stated to have hit the window glass of the car in which the complainant was travelling. The complainant has specifically stated that the matter has been compromised and he does not want to pursue with the matter. Learned Judicial Magistrate 1st Class, Samana, opined that the compromise has been effected voluntarily and compromise is genuine, and out of free will of the parties.

4. In view of the aforesaid report and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the petition is allowed and FIR No.303, dated 3.11.2018, registered at Police Station Patran, District Patiala, under Sections 307, 427, 34 IPC and under Section 25 of Arms Act, and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

March 27, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No