

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

CRM-M-25505-2020

Date of Decision : 03.11.2020

Gurvinder Singh @ Gini and others

....Petitioners

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.Gursimran Singh Bhatia, Advocate
for the petitioners.

Mr.A.S.Sandhu, Addl.AG, Punjab.

Mr.Harish Mehla, Advocate
for the complainant.

TEJINDER SINGH DHINDSA, J.(ORAL)

Matter has been taken up through Video Conferencing
via Webex facility in the light of the COVID-19 situation and as per
instructions.

Instant petition has been filed under Section 482 Cr.P.C.
seeking quashing of FIR No.298 dated 26.6.2020 under Sections 307,
506, 148, 149 IPC and Sections 25, 27 of Arms Act, 1959, registered
at Police Station Islamabad, District Amritsar on the basis of
compromise which as per counsel for the petitioners was entered into
between the parties.

Notice of motion was issued in the instant petition and
parties had been directed to appear before the Illaqa Magistrate
concerned for recording of their statements in support of the
compromise. Report in such regard had been called for.

Placed on record is a report dated 28.10.2020 of the learned Judicial Magistrate Ist Class, Amritsar and a perusal thereof would reveal that statement of Lakhwinder Singh was recorded on 26.10.2020 and statements of the accused party i.e. petitioners herein were also recorded on 26.10.2020. It has been opined that the compromise has been entered into without any pressure, duress, inducement and threat of any kind. Appended along with the report are the statements of complainant as also the accused party i.e. petitioners herein.

Mr. Harish Mehla, learned counsel representing the complainant also concedes to the factum of the compromise having been effected and does not oppose the prayer made in the petition.

During the course of hearing it has gone uncontroverted that the alleged occurrence had taken place on 25.06.2020. Even though offence under Section 307 IPC was cited but it is a case of no injury. The compromise has been entered into at the very initial stage i.e. on 29.06.2020 itself.

The Hon'ble Supreme Court in case *Narinder Singh & ors. v. State of Punjab & Anr.* **2014(2) RCR (Criminal) 482** has laid down certain guidelines/parameters wherein even for offence under Section 307 IPC, this Court in exercise of its power under Section 482 Cr.P.C. can take cognizance of a compromise wherein such compromise has been effected at the very initial stage.

Adverting back to the facts of the present case, after registration of the FIR, the challan has yet not been presented. In the

light of the statements recorded before the Illaqa Magistrate parties have entered into a settlement. Quashing of the impugned FIR would as such certainly bring peace and harmony amongst the parties.

For the reasons recorded above, prayer made in the present petition is allowed and FIR No. 298 dated 26.6.2020 under Sections 307, 506, 148, 149 IPC and Sections 25, 27 of Arms Act, 1959, registered at Police Station Islamabad, District Amritsar and all proceedings emanating therefrom are quashed qua the present petitioners.

Petition is allowed in the aforesaid terms.

03.11.2020
dss

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No