

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

**sp Crl. Misc. No. M-26420 of 2020
Date of decision : 07.09.2020**

Lovejeet Singh and anr.Petitioners

versus

State of Punjab and others. ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ashish Aggarwal, Advocate
for the petitioners.

RITU BAHRI, J. (Oral)

Issue notice of motion.

On asking of the Court, Mr. Hittan Nehra, Addl.A.G, Punjab and Mr. Shubham Mehta, Advocate accepts notice on behalf of the respondent-State and respondent No. 2 to 4 respectively.

Quashing of FIR No. 09 dated 24.01.2020 under Sections 307/452/354/427/506/148/149 IPC, registered at Police Station Sarai, Amanat Khazn, District Tarn Taran, is being sought on the basis of compromise deed dated 02.07.2020 (Annexure P-2).

The above mentioned F.I.R was got registered on the complaint made by respondent No. 2, who is mother of Rajbir Kaur (wife of petitioner No. 1). As per allegations, petitioners along with 5/6 unknown person trespassed into her house on 01.2020 at about 10:30 P.M. Petitioner No. 1 fired a gun shot with his revolver, which hit on the right side of flank of her husband Iqbal Singh.

However, with the intervention of respectables, the matter has now been duly compromised, on the basis of compromise deed dated

02.07.2020 and affidavit dated 02.07.2020 (Annexure P-2 and P-3 respectively).

Learned State counsel on instructions from SI Davinder Kumar has informed the Court that there is no cross case, no P.O proceedings are pending and no challan has been presented till date.

Learned counsel appearing for respondent Nos. 2 to 4 admits the contents of compromise effected between the parties and states that as per affidavit dated 02.07.2020 (P-3) given by the wife of petitioner No. 1 i.e Rajbir Kaur, she has stated that she is now happily living with her husband i.e petitioner No. 1 and whatever misunderstandings were there between them, the same has been sorted out. She has no objection if the F.I.R be quashed against the petitioners.

The dispute was inter-se between the relatives and Rajbir Kaur is now happily residing with petitioner No. 1. Further the injury found on the person of the injured Iqbal Singh was not declared as either dangerous to his life or sufficient to cause his death, as such no offence under Section 307 IPC is made out against the petitioners.

Keeping in view prevailing COVID-19 situation and the fact that the compromise has been effected between the parties vide compromise deed 02.07.2020 (Annexure P-2), whereby they have decided to get the F.I.R quashed, it is a fit case where there is no impediment in the way of the Court to exercise its inherent powers under Section 482 Cr.P.C for quashing of F.I.R in the interest of justice. Consequently, in view of the judgment of the Hon'ble Supreme Court in cases of **Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429 and** the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and Ors. vs. State of**

Punjab and another 2007(3) RCR (Crl.) 1052, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 09 dated 24.01.2020 under Sections 307/452/354/427/506/148/149 IPC, registered at Police Station Sarai, Amanat Khazn, District Tarn Taran is quashed along with all consequential proceedings arising therefrom qua petitioners.

The petition stands disposed of.

07.09.2020
G Arora

(RITU BAHRI)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>