

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

CRM-M- 29545-2020

Date of Decision : September 25, 2020

Harjeet Kaur and others

..... PETITIONER(S)

VERSUS

State of Punjab and another

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Rajinder Goyal, Advocate, for the petitioners.
Mr. Gaurav Garg Dhuriwala, Senior Deputy Advocate General,
Punjab.
Mr. Amaninder Preet, Advocate, for respondent No.2.

...

Sanjay Kumar, J.

The petitioners are the accused in FIR No.99 dated 14.07.2016 on the file of Police Station Division C, Police Commissionerate, District Amritsar, registered under Sections 342, 347, 348, 384, 506, 120-B, 148 and 149 IPC and Section 25 of the Arms Act, 1959 (Sections 54 and 59 of the Arms Act, 1959, are shown in the FIR but they obviously refer to the fact that the Arms Act, 1959 is Act No.54 of 1959. As such, Sections 54 and 59 do not even exist in this enactment). By way of this petition filed under Section 482 Cr.P.C., they seek quashing of the said FIR.

The basis for their seeking this relief is the compromise deed

Dated 17.11.2019, whereby they claim to have settled their differences with

the 2nd respondent herein, the complainant at whose behest the subject FIR was registered.

Mr. Amaninder Preet, learned counsel, entered appearance for the 2nd respondent-complainant and filed his Power of Attorney. He confirms the factum of the compromise and states that his client has no objection to the quashing of the subject FIR.

Mr. Gaurav Garg Dhuriwala, learned Senior Deputy Advocate General, Punjab, would inform this Court that out of the 7 accused, viz., the petitioners herein, 2 were already found to be innocent and the challan was filed against 4 of them. One of them was arrested and the trial is already underway before the jurisdictional criminal Court. He would state that no injury was caused in the commission of the offence and no other FIR has been registered against any of the petitioners. He would also confirm that though an offence was alleged under Section 384 IPC, there is no evidence of any extortion.

In the light of the aforestated settlement and as there is no evidence of any offence having been committed, which would have serious repercussions on the society at large, this Court is of the opinion that, even if this case is taken to its logical conclusion, it would only be an exercise in futility as the parties have already come to terms. Therefore, no purpose would be served in wasting the time and resources of the State in pursuing this case to its pre-ordained end. It would therefore be better to give a quietus to the issue at this stage.

The petition is allowed. FIR No.99 dated 14.07.2016 on the file of Police Station Division C, Police Commissionerate, District

Amritsar, registered under Sections 342, 347, 348, 384, 506, 120-B, 148 and 149 IPC and Section 25 of the Arms Act, 1959, and all other proceedings relating thereto shall accordingly stand quashed.

September 25, 2020
Kang

(Sanjay Kumar)
Judge

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No