

Harvinder Kumar Bhardwaj and others ...Petitioners

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. ADS Jattana, Advocate, for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Anant Bir Singh, Advocate,

for respondent no.2.

AMOL RATTAN SINGH, J. (Oral)

By this petition, the petitioners seek quashing of FIR No.105, dated 20.06.2020, registered at Police Station City-I, Mansa, alleging therein the commission of the offences punishable under Sections 307, 336, 341, 506, 147, 148 of the IPC and Section 27 of the Arms Act, 1925, as also all other subsequent proceedings arising therefrom, on the basis of a compromise (Annexure P-2 and P-3), arrived at between the petitioners and respondent no.2

Pursuant to the order of this Court dated November 09, 2020, the report of the learned CJM, Mansa, dated 10.12.2020, is on record, stating to the effect that the petitioners as also respondent no.2 Kuldeep Singh (complainant in the FIR), appeared before that court and got recorded their statements in respect of the compromise reached between them, thereby affirming it.

As per the assessment of that court, the compromise is seen to have been arrived at between the parties without any pressure, undue influence, coercion etc.

Learned counsel for the petitioners submits that though an allegation with regard to the commission of an offence punishable under Section 307 of the IPC is also alleged in the FIR, however, nobody was injured and even the weapons alleged to have been used for firing shots against the complainant (as per the allegation) were licensed weapons with no person injured at all.

Learned State counsel also does not deny the aforesaid fact because as per his instructions the occurrence is one in which no injury occurred at all.

That being so, obviously the commission of an offence punishable under the provisions of Section 307 IPC would become highly doubtful, as also with regard to the allegations made in the context of the alleged commission of an offence under the Arms Act, 1925.

That being so, looking at the nature of the offences alleged to have been committed by the petitioners and the fact that the matter has been compromised between the parties, with learned counsel for the complainant also affirming the factum of the compromise, the present petition is allowed and FIR No.105, dated 20.06.2020, registered at Police Station City-I, Mansa, for the alleged commission of offences punishable under Sections 307, 336, 341, 506, 147, 148 of the IPC and Section 27 of the Arms Act, 1925, along with all proceedings emanating therefrom, is hereby quashed.

December 21, 2020

dharamvir/

**(AMOL RATTAN SINGH)
JUDGE**

Whether reasoned/speaking : Yes/No

Whether reportable: : Yes/No