

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

**CRM-M No.10711 of 2020
Date of Decision :13.08.2021**

Sucha Singh and others

.....Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE

Present : Mr. Piyush Sharma, Advocate for the petitioners.
Mr. Jaspreet Kaur, AAG, Punjab.
Mr. Jaswinder Singh Grewal, Advocate for respondent No.2.
(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual Court)

ARUN PALLI, J. (Oral):

Vide this petition under Section 482 of Cr.P.C, the petitioners are praying for quashing of FIR No.205 dated 07.10.2019, under Sections 336, 148, 149, 506 of IPC and 25/27 of Arms Act, registered at Police Station Sadar Ferozepur, District Ferozepur and all consequential proceedings, for, the dispute between the parties stands resolved and a compromise by way of affidavit dated 10.12.2019 (Annexure P-2), has since been furnished.

Vide order dated 13.03.2020, a Co-ordinate Bench of this Court had required the parties to appear before the trial Court/Illaqua Magistrate on 20.03.2020, to have their statements recorded as regards the execution and veracity of the alleged settlement/compromise. And, the trial Court was directed to submit a report in terms of the said order.

Accordingly, vide letter No.898 dated 14.10.2020, the report

along with the statements of the parties in original has been submitted by the Additional Chief Judicial Magistrate, Ferozepur, which reads thus:-

“statements of the parties are bona fide and are not result of any pressure or coercion etc. in any manner and that the compromise effected between the parties is genuine and valid. It is further submitted that there are total 12 accused in FIR No.205 dated 07.10.2019 under Sections 336, 148, 149, 506 IPC and 25/27 of Arms Act, P.S. Sadar Ferozepur namely Sucha Singh, Balwinder Singh, Balvir Singh, Lakhwinder Singh, Shabeg Singh alias Sukhdev Singh, Tehal Singh, Gurdev Singh, Gurpret Singh alias Gurmukh Singh, Satnam Singh alias Nachattar Singh, Ravinder Singh, Daya Singh and Bachittar Singh, all residents of village Sabuana, District Ferozepur. It is further submitted that in a cross version case bearing DDR No.34 dated 12.10.2019 registered under Sections 341, 506, 427, 148, 149 IPC in FIR No.205 dated 07.10.2019 P.S.Sadar Ferozepur, District Ferozepur there are total 9 accused namely Jagtar Singh; Karj Singh; Harbans Singh; Malkiat Singh; Gurpreet Singh; Harmeet Singh; Paramjit Kaur; Lakhvir Kaur; Kiranjot Kaur; all residents of Basti Miyan Wali, Village Langeana, Tehsil and District Ferozepur. It is submitted that none of the accused persons have been declared proclaimed offender in the Present FIR or DDR neither they are involved in any other case. Further, as per the statement of the Investigating Officer, the challan has not been presented yet, however, cancellation report has been prepared, which is yet to be presented”.

In the wake of the above and upon being pointedly asked, even the learned State counsel submits that State would have no objection if the FIR (ibid) is quashed.

At this stage, it would be apposite to even refer to the decision of the Supreme Court in **Gian Singh Vs. State of Punjab and Another 2012 (10) SCC 303** and also the judgment of this Court in **Kulwinder Singh and others Vs. State of Punjab and another, 2007 (3) RCR (criminal) 1052**, wherein it was concluded that in matters concerning non-compoundable offences, if the parties have reached a compromise, this Court has wide powers under Section 482 of Cr.P.C. to quash the proceedings to secure the ends of justice.

Accordingly, the petition is allowed. FIR No.205 dated 07.10.2019, under Sections 336, 148, 149, 506 of IPC and 25/27 of Arms Act, registered at Police Station Sadar Ferozepur, District Ferozepur and all consequential proceedings arising therefrom, are quashed.

(ARUN PALLI)
JUDGE

13.08.2021

Manoj Bhutani

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