

214

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

**CRM-M-31043-2020
Date of Decision: 29.01.2021**

Amarjit Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. A.S. Sekhon, Advocate,
for the petitioners.

Mr. B.S. Sewak, Addl. A.G., Punjab,
for respondent No.1/State.

Mr. Aman Dhir, Advocate,
for respondent Nos.2 and 3.

SUDIP AHLUWALIA J. (ORAL)

In this petition, the petitioners, who are the accused persons in F.I.R No.04, dated 15.01.2013, under Sections 452, 323, 148 and 149 of the Indian Penal Code & Sections 27, 25, 54 and 59 of the Arms Act, registered at Police Station Gidderbaha, District Sri Muktsar Sahib (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings, on the basis of compromise.

[2]. On perusal of the FIR, it is verified that there is the allegation of the accused persons being armed with a 12 bore small gun, but absolutely no incident of any actual firing having taken place.

[3]. With the intervention of respectables and elderly people of the society, the complainant has arrived at a settlement with the accused vide

Affidavit of respondent No.2/complainant (Annexure P-2), which is duly

signed by him. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Sub Divisional Judicial Magistrate, Gidderbaha, vide report dated 23.11.2020, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[4]. Respondents No.2 and 3 are represented by their Counsel through Video Conferencing, who does not dispute the compromise.

[5]. In view of the report of the Sub Divisional Judicial Magistrate, Gidderbaha, and in view of the decisions of the Hon'ble Supreme Court in **“Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543** and **“Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466**, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since respondent No.2/complainant has himself compromised the dispute with the petitioners/accused persons.

[6]. In the circumstances, the present petition is allowed. F.I.R No.04, dated 15.01.2013, under Sections 452, 323, 148 and 149 of the Indian Penal Code, & Sections 27, 25, 54 and 59 of the Arms Act, registered at Police Station Gidderbaha, District Sri Muktsar Sahib (Annexure P-1), with all consequential proceedings arising therefrom, is hereby quashed qua the present petitioners.

29.01.2021

Bhumika

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/reasoned: Yes

2. Whether reportable: No