

205/3 CRM-M-32860 of 2020  
Harpreet Singh @ Happy v. State of Punjab

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2) CRM-M-35544 of 2020  
Simar Singh v. State of Punjab

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3) CRM-M-9451 of 2019 (O&M)  
Harpreet Singh @ Happy v. State of Punjab

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Present: Ms. Sukhpreet Grewal, Advocate,  
for the petitioner (s) in CRM-M-32860 and 35544 of 2020.

Mr. Anupam Bhardwaj, Advocate,  
for the petitioner in CRM-M-9451 of 2019

Mr. Ramdeep Partap Singh, DAG, Punjab

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**CRM-M-32860 of 2020 and**  
**CRM-M-35544 of 2020**

By these petitions, the petitioners seek the concession of 'anticipatory bail' upon FIR no.75, dated 26.06.2018, having been registered at Police Station Chattiwind, District Amritsar, alleging therein the commission of offences punishable under Sections 148, 149 and 307 of the IPC as also Sections 25 and 27 of the Arms Act.

Pursuant to the orders dated 15.10.2020 and 04.11.2020, learned State counsel submits that, as per his instructions, the petitioners have joined investigation and presently their custodial interrogation is not required, with him further submitting that no injury was found to have been received by any person involved in the alleged occurrence.

That being so, these petitions have in fact been rendered infructuous and are disposed of as such.

However, if the petitioners' custodial interrogation is required at any stage hereinafter, in the context of the FIR in question, they would be

given 10 days notice before arrest, duly shown to be served upon them.

Naturally, if the complainant is aggrieved in any manner, of lack of proper investigation, he would be always at liberty to avail of his remedy as per law.

**CRM-M-9451 of 2019 (O&M)**

By this petition, the petitioners seek quashing of the same FIR registered at Police Station Chattiwind, District Amritsar Rural, on the basis of a compromise stated to have been reached between the parties. A copy of the compromise in the shape of affidavits has been annexed as Annexure P-2 (colly.) with the petition.

Though, pursuant to the orders of this court dated 27.02.2020 and 13.01.2021, the report of the learned Addl. Sessions District & Sessions Judge, Amritsar, dated 29.01.2021, has been received, stating to the effect that the statement of the parties, i.e. the complainant Parminder Singh as also of the accused, have been recorded in terms of the compromise stated to have reached between the parties, with none of the accused stated to be a proclaimed offender in the case (with the statement of respondent no.3, Balwinder Singh also having been recorded), however, as also pointed out by learned State counsel, one of the allegations in the FIR is the use of a fire arm.

Counsel for the parties would address arguments as to how, qua an offence punishable under the provisions of Arms Act, can any FIR be quashed on the basis of a compromise reached between the parties, especially if the weapon alleged to have been used was found to be an unlicensed weapon.

As regards the allegation made of the commission of an offence punishable under Section 307 of the IPC, it is also the case of the State that

of the ratio of the judgment of the Supreme Court in **Narinder Singh v. State of Punjab** 2014(6) SCC 466 may not apply, subject of course to arguments in that regard being addressed by counsel for the parties.

A gazetted officer is directed to file a reply to the petition, giving therein the findings in the investigation carried out so far, especially with regard to the alleged use of a fire arm.

Adjourned to 03.05.2021.

A photocopy of this order be also placed on the file of the other connected cases.

**March 08, 2021**  
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**(AMOL RATTAN SINGH)**  
**JUDGE**