

CRM-M-7996-2022 (O&M)

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

**CRM-M-7996-2022 (O&M).
Decided on: May 10, 2022.**

Karan Kumar

.. Petitioner

VERSUS

State of Punjab and others

.. Respondents

*** * ***

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH
*** * ***

**PRESENT Mr.Gagandeep Singh Bajwa, Advocate,
for the petitioner.**

Ms.Jaspreet Kaur, AAG, Punjab.

**Mr.L.S.Lakhanpal, Advocate, for
Mr.G.S.Randhawa, Advocate,
for respondent Nos.2 and 3.**

KARAMJIT SINGH, J. (ORAL)

Present petition is for quashing of FIR No.94 dated 1.5.2020 registered under Sections 336, 294, 427 and 506/34 IPC and under Section 25 of the Arms Act, at Police Station Chheharta, Amritsar City, (Annexure P-1) on the basis of compromise dated 5.1.2022 (Annexure P-2) along with other consequential proceedings arising thereto.

The above stated FIR was registered on the statement of

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the complainant/respondent No.2 Lovepreet Singh in which he alleged that at the time of the occurrence, the petitioner and 3 other unidentified persons fired shots and they also damaged the motorcycle of respondent No.2. However, no one sustained firearm injury.

On notice of motion, respondents Nos.2 and 3 appeared in the Court through their counsel and pleaded that they have no objection if the FIR in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.

During the course of preliminary hearing, the trial Court/Illaq Magistrate was directed to record the statements of all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of Ms.Nirmala Devi, PCS, Judicial Magistrate Ist Class, Amritsar, along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

I have heard learned counsel for the parties

Learned counsel for the parties are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or

coercion.

I am of the view that the aforesaid compromise is in the welfare and interest of the parties and will enable the parties to live in peace and enjoy their life in a dignified manner. Also there is no legal impediment in translating their wishes into reality by putting an end to the criminal prosecution initiated on the basis of FIR in question.

For the reasons aforestated and having regard to the law laid down by the Hon'ble Apex Court in *Gian Singh v. State of Punjab and another, 2012 (4) RCR (Criminal) 543* and Five Judges Bench of this Court in *Kulwinder Singh and others v. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, this petition is allowed and FIR No.94 dated 1.5.2020 registered under Sections 336, 294, 427 and 506/34 IPC and under Section 25 of the Arms Act, at Police Station Chheharta, Amritsar City, (Annexure P-1) on the basis of compromise dated 5.1.2022 (Annexure P-2) along with other consequential proceedings arising thereto are hereby quashed qua the petitioner.

May 10, 2022.
jiten

(KARAMJIT SINGH)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No