

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

**CRM-M-10696 of 2022
Date of Decision:- 05.05.2022**

Gurdeep Singh and another

....Petitioners

Vs.

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Ishan Gupta, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

Mr. Kulwinder Singh, Advocate
for respondent No.2.

KARAMJIT SINGH, J.(Oral)

Reply filed by way of affidavit of Parminder Singh, DSP
Sub Division Dhuri, on behalf of State-respondent No.1, is ordered to
be taken on record.

Prayer in this petition is for quashing of FIR No.79 dated
10.05.2021 (Annexure P-2) registered under Sections 307, 34, 201
and Section 27 of Arms Act at Police Station Sadar Dhuri, District
Sangrur, on the basis of compromise (Annexure P-1).

The above stated FIR was registered on the basis of
statement of complainant/respondent No.2-Varinder Singh, in which

he stated that at the time of occurrence on 07.05.2021 both the petitioners were present at the spot and petitioner No.1 Gurdeep Singh fired at him with his 12 bore gun, but respondent No.2 saved himself by lying on the ground and thereafter, both the petitioners went away from the spot in a car.

On notice of motion, respondent No.2 appeared in the Court through his counsel and pleaded that he has 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 the all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of Additional Sessions Judge, Sangrur 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 petitioner and for respondent No.2 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.

Admittedly, in the present case no one was injured and now the parties have effected compromise. In view of above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and thus, amount to abuse of process of law.

For the reasons aforesaid and having regard to the law laid down by 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.79 dated 10.05.2021 (Annexure P-2) registered under Sections 307, 34, 201 and Section 27 of Arms Act at Police Station Sadar Dhuri, District Sangrur and all the subsequent proceedings are hereby quashed qua the petitioners.

05.05.2022
P. Chawla

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No