

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

Sr. No.222

**CRM-M No. 19291 of 2021
Date of decision: 24.02.2022**

Aman @ Amanjit Kaur and another **..Petitioners**

Versus

State of Punjab and another **..Respondents**

(Heard through Video-Conferencing)

BEFORE: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Gulam Nabi Malik, Advocate
for the petitioners.

Ms. Samina Dhir, DAG, Punjab
for respondent No.1-State.

Mr. R.K. Kachura, Advocate appearing as proxy counsel for
Mr. Kuldip Singh, Advocate
for respondent No.2.

MEENAKSHI I. MEHTA J. (Oral)

By way of the instant petition, the petitioners have invoked the jurisdiction of this Court under Section 482 Cr.P.C. for seeking the quashing of the FIR bearing No.08 dated 11.02.2021 registered at Police Station Khamanon, District Fatehgarh Sahib, under Sections 454, 380 read with Section 34 IPC and Section 25 of the Arms Act as well as all the consequential proceedings arising therefrom, while averring that the parties have arrived at a compromise (Annexure P-2) qua their dispute leading to the registration of the said FIR.

Bereft of unnecessary details, the allegations, as levelled by complainant-Harish in the subject FIR, are that on 11.02.2021, both the petitioners stole away his licenced revolver kept in the drawer of the table in his shop.

Vide the order dated 06.12.2021 passed by the Co-ordinate Bench, the parties were directed to appear before the trial Court/Illaq Magistrate on 23.12.2021 for recording their statements in respect of the compromise. In compliance of the said order, learned Sub Divisional Judicial Magistrate, Khamanon, recorded their (parties') statements and has submitted her report (which is already available on the file) mentioning therein that only two accused persons, i.e. the petitioners, are involved in the FIR and that the parties have entered into a genuine compromise, voluntarily and out of their own free will, without any pressure or undue influence and as per the statement of ASI Sukhwinder Singh, none of the petitioners has been declared a proclaimed offender. The statements of the parties and of the above-named ASI have also been annexed with the said report.

I have heard learned counsel for the petitioners as well as learned State counsel and learned counsel for respondent No.2-complainant in the present petition and have also perused the file thoroughly.

The said compromise has been effected to put the dispute between the parties at rest for all the times to come and the same would promote peaceful, harmonious and cordial relations between them. It being so, there are bleak chances of the conviction of the petitioners and in these

circumstances, the continuation of the proceedings in the case arising out of the said FIR would be an exercise in futility.

Keeping in view the above-discussed facts and circumstances as well as the observations as made by the Apex Court in ***Gian Singh Versus State of Punjab and another (2012) 4 RCR (Criminal) 543***, the FIR bearing No.08 dated 11.02.2021 registered at Police Station Khamanon, District Fatehgarh Sahib, under Sections 454, 380 read with Section 34 IPC and Section 25 of the Arms Act as well as all the consequential proceedings arising therefrom (if any) are hereby quashed.

The petition in hand stands allowed accordingly.

24.02.2022
pooja

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned Yes

Whether Reportable No