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

CRM-M-44200-2021

Date of decision : 26.05.2022

Gopal

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: None for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

On 20.05.2022, in spite of the fact that the matter had been called twice, nobody had appeared. Today also, same is the position.

This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.74 dated 27.05.2020 registered under Sections 307, 34, 506 of the Indian Penal Code, 1860 and Sections 25/54/59 of the Arms Act at Police Station Kalka, District Panchkula, Haryana (Annexure P-1) and all the subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

It would be relevant to note that although, in para 10 of the present petition, it has been mentioned that the petitioner has not filed any other petition for quashing of FIR but it has been brought to the notice of

this Court that the petitioner had earlier filed CRM-M-36973-2020, which was also a petition filed under Section 482 of Cr.P.C. for quashing of the present FIR on the basis of compromise. Relevant portion of the headnote of the said petition is reproduced here under:-

“CRIMINAL MISC. PETITION under Section 482 Cr.P.C. seeking quashing of the FIR No.0074 dated 27.05.2020 (Annexure P-1) under Sections 307, 34, 506 of the Indian Penal Code, 1860 and Section 25 of Arms Act, 1959, registered at Police Station Kalka, District Panchkula, alongwith all consequential proceedings thereon on the basis of compromise dated 29.06.2020 (Annexure P-3) and also for staying the further proceedings in pursuance to the aforementioned FIR, in the interest of justice.”

The said petition came up for hearing on 26.07.2021 and the Coordinate Bench of this Court was not inclined to agree with the counsel for the petitioner and the petitioner had got the said petition dismissed as not pressed on 26.07.2021. The relevant portion of order dated 26.07.2021 is reproduced hereinbelow:-

“GOPAL *...PETITIONER*
VERSUS
STATE OF HARYANA AND ANOTHER ...RESPONDENTS
CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL
Present: Mr. Sanjiv Gupta, Advocate for the petitioners.
Mr. Kuldeep Tiwari, Addl. A.G., Haryana.
None for respondent No.2.

SUVIR SEHGAL, J.(ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

CRM-17613-2021

Prayer in this application is for seeking exemption from filing certified copies Annexures P-9 to P-11.

Allowed as prayed for.

CRM-17617-2021

Noticing the prayer made in the application, it is allowed. Date of hearing of the main case is advanced to today and is ordered to be taken on Board.

Main Case

The instant petition has been filed under Section 482 of Cr.P.C. for quashing of FIR No.0074 dated 27.05.2020 registered under Sections 307, 34, 506 IPC, 1860, and Section 25 of the Arms Act, 1959, at Police Station Kalka, District Panchkula, Annexure P-1, on the basis of compromise dated 29.06.2020, Annexure P-3, arrived at between the parties, alongwith all subsequent proceedings arising therefrom.

Having argued the matter for sometime and realizing that the Court is not inclined to agree with his submissions, counsel for the petitioner does not press the petition.

Dismissed as not pressed.

26.07.2021

Sd/-(SUVIR SEHGAL)

JUDGE”

Keeping in view the above facts and also the fact that FIR has been registered under Section 307 of IPC and also under the Arms Act, the present petition is dismissed.

All the pending miscellaneous applications, if any, stand disposed of in view of the abovesaid order.

26.05.2022

Pawan

(VIKAS BAHL)

JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No