

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

252

CRM-M-33291-2020(O & M)

Date of decision:31.05.2022

Jaspal Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr.Raghav Gulati, Advocate
for the petitioner

Mr.B.S.Sewak, Addl.AG.Punjab

Ms.Sandhya Gaur, Advocate
for respondent No.2

HARINDER SINGH SIDHU, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for quashing of FIR No.0273 dated 08.10.2020 under Section 307 IPC and Sections 25,54 of the Arms Act, 1959 registered at P.S Division-B, District Amritsar and all other consequential proceedings arising out of the said FIR, as the matter stands amicably settled in terms of compromise deed dated 12.10.2020 (Annexure P-3).

Notice of motion was issued.

In the FIR lodged at the instance of respondent No.2, it is alleged that sister of the complainant is married with the petitioner. The petitioner often used to beat sister of the complainant. On the date of incident, the complainant and his cousin (son of his maternal aunt) had gone to the house of his sister. The petitioner allegedly slapped sister of the complainant in front of them. When the complainant stopped him from

doing so, the petitioner pushed the complainant out of the house. The complainant fell down and the petitioner fired a gun shot from his pistol which hit on calf muscle of leg of the complainant.

Learned counsel for the petitioner contends that no offence under Section 307 IPC is made out. When the complainant and his cousin visited his house, the petitioner was cleaning his licensed revolver and incidently the shot got fired without any intention to cause any injury to the complainant.

In the reply filed on behalf of the respondent-State of Punjab, it has been stated that the injury suffered by the complainant is simple in nature. It is further stated that the MLR of the complainant-respondent No.2 was conducted at Civil Hospital, Amritsar, as per which one lacerated wound was found on lateral aspect of left leg middle of the complainant.

Vide order dated 25.01.2022, the parties were directed to appear before the trial Court/Area Magistrate on 10.02.2021 for getting their statements recorded with regard to the compromise and trial Court was to send its report regarding the genuineness of the compromise.

A report dated 10.02.2021 of learned Judicial Magistrate First Class, Amritsar, has been received. As per the report, the parties had appeared before learned Judicial Magistrate First Class, Amritsar and got recorded their statements regarding compromise. Learned Magistrate has stated that he is of the considered view that the compromise between the parties is valid, genuine, voluntary and without any coercion or undue influence.

In view of the above, the present petition is allowed. FIR No.0273 dated 08.10.2020 under Section 307 IPC and Sections 25,54 of the

Arms Act, 1959, registered at P.S Division-B, District Amritsar, along with all subsequent proceedings arising therefrom, are hereby quashed, qua the petitioner.

(HARINDER SINGH SIDHU)
JUDGE

31.05.2022

neenu

Whether speaking/non-speaking: Yes/No

Whether reportable: Yes/No