

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

CRM-M-30758-2019
Date of Decision:-12.05.2022

RASAL SINGH @ BITTU

... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. S.L. Chander Shekhar, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Ms. Pooja Arora, Advocate
for respondents No.2 and 3.

KARAMJIT SINGH, J. (Oral)

Present petition is for quashing of FIR No.200 dated 8.10.2013 registered under Sections 307/34 IPC and 25/27 Arms Act at Police Station Patti, District Tarn Taran (Annexure P-1) and all the consequent proceedings thereon including order dated 27.3.2014 (Annexure P-2) whereby the petitioner was declared proclaimed offender, on the basis of compromise (Annexure P-3).

The FIR in this case was registered on the basis of statement of respondent No.2-Kulwant Kaur, in which she stated that on hearing the noise of fire arm shots, she came out of her house and saw that her husband Satnam Singh (respondent No.3) had sustained fire arm injuries. On inquiry, Satnam Singh told her that he was attacked by Yadwinder Singh @ Yada s/o Deba r/o Patti and brother-in-law of Sarpanch of village Sabe Saidan.

On notice of motion, respondents No.2 & 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 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 Sub-Divisional Judicial Magistrate, Patti 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 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.200 dated 8.10.2013 registered under Sections 307/34 IPC and 25/27 Arms Act at Police Station Patti, District Tarn Taran (Annexure P-1) and all the consequent proceedings thereon including order dated 27.3.2014 (Annexure P-2) whereby the petitioner was declared proclaimed offender, on the basis of compromise (Annexure P-3) and all the subsequent proceedings thereof are hereby quashed qua the petitioner.

(**KARAMJIT SINGH**)
JUDGE

12.05.2022
Gaurav Sorot

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No