

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

(126)

CRM-M-38420-2022

Date of decision: - 29.08.2022

Jaskaran Singh @ Nikka

....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mohd. Jameel, Advocate, for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

Mr. Dilpreet Singh Virk, Advocate  
for respondent No.2.

\*\*\*\*

**VIKAS BAHL, J. (ORAL)**

The present is a third petition filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.64 dated 05.06.2014 (Annexure P-1), under Sections 307 and 34 IPC and Section 25 of the Arms Act, 1959 (Section 27 of the Arms Act was added later on), registered at Police Station Nihal Singh Wala, District Moga, on the basis of compromise.

The second petition filed by the petitioner was dismissed on 09.11.2021, in which, the following order was passed by this Court: -

*"This is a petition filed under Section 482 of Cr.P.C. for quashing of FIR No.64 dated 05.06.2014 registered under Sections 307 and 34 of the Indian Penal Code, 1860 and Sections 25/27/54/59 of the Arms Act, 1959 at Police Station Nihal Singh Wala, District*

*Moga (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise dated 13.05.2019 (Annexure P-2).*

*At the outset, it will be relevant to note that the petitioner alongwith three other co-accused had filed CRM-M-11678-2015 for quashing of FIR on the basis of compromise, in which the following order was passed:-*

*“None for the petitioners. The case has been called twice since morning. No one has appeared for the petitioners.*

*This Court has perused the material available on record. Prayer in this petition filed under Section 482, Cr.P.C., is for quashing of FIR No.64, dated 05.06.2014, for the offences punishable under Section 307 read with Section 34, IPC, and Section 25 of the Arms Act, 1959, registered at Police Station, Nihal Singh Wala, Annexure P1, and consequential proceedings arising therefrom on the basis of compromise.*

*In the matter of State of M.P. vs Manish, 2015(3) R.C.R. (Criminal) 710 (SC), Hon'ble the Supreme Court has held that the offence under Section 307, IPC, is not against the private persons. In fact, it is against the society. Therefore, proceedings for having committed the offence punishable under Section 307, IPC, cannot be quashed by the High Court on the basis of compromise.*

*Dismissed.*

*September 21, 2015*  
*SANGHI)*

*(NARESH KUMAR*  
*JUDGE”*

*No reference of the said order has been made in the present petition.*

*Learned counsel for the petitioner has submitted that he was not aware about the passing of said order.*

*This Court believes the learned counsel for the petitioner. However, it was incumbent upon the petitioner who had not informed the learned counsel for the petitioner about passing of the above order.*

*In view of the earlier dismissal of petition bearing CRM-M-11678-2015, the present petition is also stands dismissed."*

Learned counsel for the petitioner, in view of the above-said order, seeks permission of this Court to withdraw the present petition.

In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn.

August 29, 2022  
naresh.k

( VIKAS BAHL )  
JUDGE

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