

2023:PHHC:052816

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 244

CRM-M-10742-2021
Date of decision : 17.04.2023

Vikramjit Singh @ Bacha and another

..... Petitioners

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.S.S.Gill, Advocate, for the petitioners.

Mr.A.P.S.Tung, DAG, Punjab.

None for respondents No.2 to 4.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.88 dated 05.07.2018 registered under Sections 307, 324, 323, 148, 149 IPC and Sections 25 and 27 of the Arms Act, 1959 at Police Station Division-B, District Police Commissionerate, Amritsar and all proceedings arising therefrom qua the petitioners on the basis of a compromise dated 12.02.2020 (Annexure P-4) entered into between the parties.

Learned counsel for the petitioners as also learned State counsel submit that Sections 307, 148, 149 IPC and Sections 25, 27, 54 and 59 of the Arms Act, 1959 have since been deleted.

On 09.03.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise between the parties as also to apprise this Court whether all the accused are party to the compromise; whether any of them have ever been declared proclaimed offender(s) and if is there any other criminal case pending against them.

As directed, report dated 19.08.2021 from the Judicial Magistrate Ist Class, Amritsar has been received as per which the parties had recorded their statements before the Trial Court in terms of the compromise arrived at between them; the same is voluntary; all the petitioners/accused are party to the compromise; they have not been declared proclaimed offender(s) and that they are not involved in any other case.

Learned State counsel has no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR in which offences are not heinous as also the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Supreme Court in *Narinder Singh vs State of Punjab* (2014) 6 SCC 466, this Court deems it just and proper to allow the petition and resultantly quash FIR No.88 dated 05.07.2018 registered under Sections 307, 324, 323, 148, 149 IPC and Sections 25 and 27 of the Arms Act, 1959 at Police Station Division-B, District Police Commissionerate, Amritsar and all proceedings arising therefrom qua the petitioners.

17.04.2023
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[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No