

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

**CRM-M No.16507 of 2017
Date of Decision: 06.01.2023**

Baljit Singh and others

.... Petitioners

versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Sarbjit Singh, Advocate
for the petitioners.

Mr. Gurpreet Singh Shergill, AAG, Punjab.

Mr. Gurjinder Singh Thind, Advocate
for respondents No.2 to 4.

GURBIR SINGH, J (ORAL)

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.70, dated 23.03.2017, under Sections 307, 452, 427, 336, 323, 148, 149 of IPC and 25 of Arms Act (Section 307 of IPC and 25 of Arms Act have been deleted and Section 27 of Arms Act added later on), registered at Police Station Chheharta, Amritsar and all subsequent proceedings arising therefrom, on the basis of compromise dated 29.04.2017 effected between the parties.

Learned counsel for the petitioners states that Section 307 of IPC and Section 25 of the Arms Act have been removed from the present FIR but Section 27 of the Arms Act has been added.

Learned counsel for the parties have stated that the present FIR may be quashed as the parties have amicably settled the dispute.

During the course of preliminary hearing, the trial Court was directed to record the statements of all the concerned parties, with regard

to the genuineness and validity or otherwise of the compromise by this Court.

In compliance thereof, report from the Judicial Magistrate, Ist Class, Amritsar has been received through the District & Sessions Judge, Amritsar, with statements of the parties, in which, it has been mentioned that the compromise is genuine and valid and outcome of free consent of the parties and is without coercion from any quarter.

The powers under Section 482 Cr.P.C. can be exercised in such like situation in order to prevent unnecessary vagaries of criminal trial to be faced by the parties, when there are remote chances of conviction of the accused. The compromise in question is found to be fully in consonance with the direction issued by the Court in “Kulwinder Singh and others vs. State of Punjab and another”, 2007(3) RCR (Criminal) 1052 and “Gian Singh vs. State of Punjab and another”, 2012 (4) RCR (Criminal) 543.

In view of the aforesaid report of the learned Judicial Magistrate Ist Class, Amritsar accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.70, dated 23.03.2017, under Sections 452, 427, 336, 323, 148, 149 of IPC and 27 of Arms Act, registered at Police Station Chheharta, Amritsar and all subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 29.04.2017, qua the petitioners only.

06.01.2023

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(GURBIR SINGH)
JUDGE

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