

**251 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-10372-2020(O&M)
DATE OF DECISION:25.09.2023****Sukhdev Singh alias Ladi and another ...Petitioners****Versus****State of Punjab and others ...Respondents****CORAM : HON'BLE MR. JUSTICE ARUN MONGA**

Present : Mr.Anureet S. Sidhu, Advocate,
for the petitioners.

Mr. Mohit Thakur, AAG, Punjab.

Mr. Jagjit Singh, Advocate for
Ms. Gurvir Kaur Gill,
Advocate for respondents no.2 to 5.

ARUN MONGA, J. (ORAL)

Petitioners seek quashing of FIR No.172 dated 18.11.2019 (Annexure P-1), registered under Sections 307, 506, 148 and 149 of IPC 1860, and Section 25/27 of the Arms Act, 1959, at Police Station Urban Estate, District Patiala, on the basis of compromise dated 16.02.2020 (Annexure P-2), stated to have been arrived between the parties.

2. Since quashing was sought on the basis of compromise, a co-ordinate Bench of this Court on 12.03.2020 had directed the parties to appear before the *Illaq*a Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 24.03.2021 of learned Additional Chief Judicial Magistrate, Patiala, had been received. Report reveals that statements of complainant party i.e. respondents No.2 to 5 as also of accused/present petitioners herein, were duly recorded. It is opined that a compromise has been

arrived at without any pressure, undue influence or coercion. The report is accompanied by the statements of parties. It is apparent that the complainant/respondents No.2 to 5 and accused/petitioners have arrived at a compromise voluntarily and without any coercion.

4. On a Court query, it transpires that it was a licensed weapon that was used and learned counsel for the petitioners states that the same was used in the heat of the moment in self defence.

5. Learned counsel for the respondents no.2 to 5 does not deny the aforesaid averments and states that as per his instructions, the complainant party/respondents no.2 to 5 does not press any charges against the petitioners. He further states that the injuries suffered by the complainant party was though stated to be grievous at the time of the allegation that led to the registration of the FIR but on subsequent medical examination the same was turned out to be simple.

6. This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a decision dated 29.09.2021 of the Supreme Court in case titled *Ramgopal and anr. V. The State of Madhya Pradesh*¹ and a Full Bench decision of this Court in *Kulwinder Singh and others V. State of Punjab and others*².

7. In the premise it is an appropriate case for exercise of power under Section 482 Cr.P.C. and to bring to an end the criminal proceedings initiated in the light of impugned FIR.

8. Petition is thus allowed. FIR No.172 dated 18.11.2019 (Annexure P-1), registered under Sections 307, 506, 148 and 149 of IPC 1860, and Section 25/27 of the Arms Act, 1959, at Police Station Urban Estate, District Patiala and all proceedings emanating there from *qua* the petitioners stand quashed.

¹Criminal Appeal No.1489 of 2012

²2007 (3) RCR (Criminal) 1052

9. Pending application(s), if any, shall also stand disposed of.

25.09. 2023

D'vir

(ARUN MONGA)
JUDGE

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