

CRM-M-13126-2023

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

(271)

2023:PHHC:149747

CRM-M-13126-2023

Date of decision:- 23.11.2023

Parkash Singh

...Petitioners

Versus

State of Punjab and another

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr.A.S.Manaise, Advocate for the petitioner.
 Mr.Anup Singh AAG, Punjab.
 Mr.Komalpreet Singh, Advocate for
 Mr.Amandeep Sharma, Advocate for respondent No.2.

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR No.09 dated 25.01.2023, registered for offences under Sections 25, 27 of Arms Act, 1959 and Sections 506, 188 of IPC, registered at Police Station Sekhwan, Police District Batala, District Gurdaspur on the basis of compromise dated 01.03.2023 (Annexure P-2).

2. Pursuant to orders dated 16.03.2023 passed by this Court, report has been received from the Judicial Magistrate, relevant extract of which is as under:-

“After considering the statements of the parties as well as the statement of I.O, this Court is of the view that the compromise between the parties in the present case is genuine, voluntary and without any coercion or undue influence. Parties are neither involved in any other FIR nor they have been declared as proclaimed offenders in any other criminal case.”

3. Counsel for the petitioners submits that FIR (Annexure P-1) is an outcome of a minor misunderstanding as the petitioner was allegedly insisting upon non-veg food which the complainant refused to serve as he was running a vegetarian dhaba.

4. Counsel for the complainant submits that as per the allegations in the FIR, the petitioner pointed a revolver at the complainant but before he could fire, he was apprehended by the nephew of the complainant.
5. Upon instructions from ASI-Amrik Singh, IO, State counsel submits that the matter is under investigation, although the offence under Section 27 of the Arms Act has been deleted as per the status report filed on behalf of the official respondent.
6. Counsel representing respondent/complainant does not have any objection in case the compromise is given effect to.
7. Heard counsel for the parties.
8. Dispute has been amicably resolved amongst the parties with the intervention of the respectables by virtue of compromise, Annexure P-2.
9. In view of the report given by the learned Magistrate and the judgment of the Supreme Court in Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543 and a Full Bench of this Court in Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052, this Court is of the view that keeping the criminal proceedings alive would not serve any purpose and setting them aside would enable the parties to lead a harmonious and peaceful life.
10. Accordingly, the petition is allowed. FIR No.09 dated 25.01.2023, registered for offences under Sections 25, 27 of Arms Act, 1959 and Sections 506, 188 of IPC, registered at Police Station Sekhwan, Police District Batala, District Gurdaspur is quashed qua the petitioners.

23.11.2023

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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned Yes/No
Whether Reportable Yes/No.