

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

CRM-M-14330-2022

Date of Decision: February 10, 2023

LAKHVINDER SINGH AND OTHERS

..... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rajat Arora, Advocate for
Mr. Aminder Singh, Advocate for petitioners.

Mr. Ravinder Singh, AAG, Punjab.
Mr. D.S. Sandhu, Advocate for respondent No.2.

HARKESH MANUJA, J. (ORAL)

By way of present petition under Section 482 Cr.P.C. the petitioners prays for quashing FIR No.254, dated 08.12.2021, under Section 336 IPC and 25, 27 Arms Act 1959 registered at Police Station Dirba, District Sangrur along with all consequential proceedings arising out of the same on the basis of the compromise (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioners fired gun shots at the complainant.

3. In pursuance to an order dated 05.04.2022 passed by this Court whereby, the parties were directed to appear before trial Court for getting their statements recorded as regards the veracity of the compromise arrived at between them, a report dated 25.04.2022 has been received from the concerned Court, stating that the compromise in the present case is valid, genuine, voluntary and without any coercion or

undue influence. There are two other accused except the present petitioners namely Laddi Singh and Dimple Singh who have been declared as innocent by Police and there is one complainant namely, Gagandeep Singh. No accused has been declared as proclaimed offender.

4. Learned counsel for the petitioners submits that once, a compromise has been arrived at between the parties without any pressure and respondent No.2 has no objection as regard quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; the dispute purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He also submits that even in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

5 On the other hand, learned State counsel submits that allegations in the present FIR are of serious nature and he opposes the prayer made in the petition.

6. I have heard learned counsel for the parties and gone through the records including the report dated 25.04.2022. The parties having settled their dispute so as to live in peace in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the trial Court to invest further time and effort in adjudicating this FIR.

The compromise in question is even found to be fully in consonance with the directions issued by this Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR(Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543***”

7. Thus, in view of the aforesaid report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No. 254, dated 08.12.2021, under Section 336 IPC and 25, 27 Arms Act 1959 along with all consequential proceedings arising therefrom, are hereby quashed.

8. Considering the delay in approaching this court at the hands of petitioner, the aforesaid order shall be subject to payment of costs of Rs.10,000/- to be deposited with the Punjab and Haryana high court Association Lawyer’s Welfare Fund having Account No. 41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

10.02.2023
tejwinder

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No