

226 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21096-2023

DATE OF DECISION:-26.05.2023

Lakhbir Singh and others

...Petitioners.

vs.

State of Punjab and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Naveen Sharma (Moudgil), Advocate,
for the petitioners.

Mr. Amit Shukla, AAG, Punjab.

Mr.Lovish Rattan, Advocate for
Mr. Surinder Sharma, Advocate,
for respondents No.2 to 7.

HARKESH MANUJA, J.

Prayer in this petition under Section 482 Cr.P.C. is for quashing of FIR No.0154, dated 04.05.2022, under Sections 307, 506, 34 IPC (Section 201 IPC added later on) and Sections 25, 27 of the Arms Act, 1959, Police Station Division B, Police Commissionerate Amritsar, District Amritsar (Annexure P-1), wherein, subsequently, vide DDR No.038 dated 18.11.2022, Sections 201, 307 IPC deleted and Sections 336, 323 IPC added, alongwith all the subsequent proceedings arising therefrom, on the basis of compromise dated 27.01.2023 (Annexure P-3).

2. As per the allegations levelled in the FIR, petitioners entered into an altercation with complainant and fired shots upon the private respondents. As a result of which, respondents sustained injuries. Initially,

FIR was registered under Section 307 IPC, besides other offence, however,

during investigation the same was deleted vide DDR No.038, dated 18.11.2022.

3. In pursuance to an order dated 27.04.2023 passed by this Court, whereby the parties were directed to appear before the trial court for getting their statements recorded as regards the veracity of compromise arrived at between them, a report dated 15.05.2023 has been received from the concerned court, stating that the complainant and victims/injured persons i.e. respondents No.2 to 7 have compromised the matter with the accused i.e. petitioners No.1 to 3 without any pressure, threat or undue influence. No accused has been declared as proclaimed offender.

4. Once, the compromise has been arrived at between the parties without any pressure and respondents having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; there does not appear to be any impediment as regards quashing of present FIR qua the petitioners. Even otherwise, 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. 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 direction issued by the 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.

6. Thus, in view of the aforesaid facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.0154, dated 04.05.2022, under Sections 307, 506, 34 IPC (Section 201 IPC added later on) and Sections 25, 27 of the Arms Act, 1959, Police Station Division B, Police Commissionerate Amritsar, District Amritsar (Annexure P-1), wherein subsequently, vide DDR No.038 dated 18.11.2022, Sections 201, 307 IPC deleted and Sections 336, 323 IPC added as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.5000/- each by both the sides to be deposited with the Gurudwara Baba Deep Singh Ji, Chhati Gali Wala Gurudwara, Drama Wala Bazar, within a period of two weeks from today.

26.05.2023

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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No