

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

CRM-M-25751-2023

Date of decision:-25.08.2023

Harmanpreet Singh @ Harman Singh @ Mani

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Ramandeep, Advocate
for the petitioner.

Mr.Anup Singh, AAG, Punjab.

Mr.G.S. Bains, 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 for quashing of FIR No.0080 dated 21.03.2021, under Sections 323, 341, 506, 148, 149 IPC and Section 27 of Arms Act, registered at Police Station Patran, District Patiala, Annexure P1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 02.05.2023, Annexure P2, arrived at between the parties.

2. Counsel for the petitioner submits that the FIR is an outcome of petty altercation between the parties, which has been amicably settled. He submits that the parties and Investigating Officer have appeared before the trial Court and their statements have been

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recorded. He asserts that the allegation under the Arms Act has been levelled against accused Yadwinder Singh @ Yaadi, who is not a signatory to the settlement.

3. State counsel upon instructions submits that five persons have been named as accused but compromise Annexure P2 has been arrived at with the petitioner alone and there are two other criminal cases pending against him. As per his instructions, matter is under investigation as some of the accused have not been arrested.

4. Counsel for the respondent No.2/complainant has admitted the factum of compromise.

5. Heard counsel for the parties.

6. Pursuant to order dated 19.05.2023 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

“3. After going through the statements given by the parties, I am of the view that compromise between the parties is genuine, voluntary and without any coercion or undue influence and as per statement of ASI Kulwant Singh no accused person was declared as proclaimed offender.”

7. In view of this development, report of the Trial Court and 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 pending would not serve any purpose and setting them aside

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would enable the parties to lead a harmonious and peaceful life.

8. Accordingly, the petition is allowed. FIR No.0080 dated 21.03.2021, under Sections 323, 341, 506, 148, 149 IPC and Section 27 of Arms Act, registered at Police Station Patran, District Patiala, Annexure P1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioner.

(SUVIR SEHGAL)
JUDGE

25.08.2023

Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No