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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-28106-2023 (O&M)
Date of decision: 14.09.2023

Inderbeer Singh

...Petitioner

VS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr.Pawanjeet Singh, Advocate for
Ms. Nupur Sood, Advocate,
for the petitioner.

Mr. Mohit Thakur, AAG, Punjab.

Mr. Aharjot Grewal, Advocate for
Mr.Kannan Malik, Advocate,
for respondent no.2.

ARUN MONGA, J. (ORAL)

Petitioner seeks quashing of FIR No.33, dated 17.02.2023 (Annexure P-1) registered under Sections 323, 336, 506 and 34 of the IPC and Section 27/54/59 of the Arms Act 1959, at Police Station Division-6, District Police Commissionerate Ludhiana, and all subsequent proceedings arising therefrom, on the basis of compromise dated 13.05.2023 (Annexures P-2).

2. Since quashing was sought on the basis of compromise, a co-ordinate Bench of this Court vide order dated 31.05.2023 had directed the private 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 21.07.2023 of learned Judicial Magistrate Ist Class, Ludhiana, had been received. Report reveals that statements of complainant party i.e. respondent no.2 as also of accused/present petitioner 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/respondent no.2 and accused/petitioner have arrived at a compromise voluntarily and without any coercion.

4. Learned counsel for complainant/respondent no.2 states that he would have no objection to the quashing of FIR in question.

5. Though offence under the provision of Arms Act, 1959 have been invoked however, on Court query, it transpires that the weapon involved was a licensed gun and the complainant has compromised the matter with the petitioner.

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.33, dated 17.02.2023 (Annexure P-1) registered under Sections 323, 336, 506 and 34 of the IPC and Section 27/54/59 of the Arms Act 1959, at Police Station Division-6, District Police Commissionerate Ludhiana, and all proceedings emanating there from *qua* the petitioner stand quashed.

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

(ARUN MONGA)
JUDGE

14.09.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No

¹Criminal Appeal No.1489 of 2012