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

CRM-M-31763-2023 (O&amp;M)

Date of decision: 05.09.2023

Jaskaran Singh and another

...Petitioners

VS

State of Punjab and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN MONGA****Present:-** Mr.Prince Goyal, Advocate,  
for the petitioners.

Mr.Mohit Thakur, AAG, Punjab.

Mr.Ramnish Puri, Advocate  
for respondent no.2.

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**ARUN MONGA, J. (ORAL)**

Present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.15 dated 06.02.2023, under Section 307 IPC and Section 27 of the Arms Act, 1959 (later on Section 307 IPC deleted and Section 506 IPC added later on vide DDR No.17 dated 12.02.2023), registered at Police Station S.G.N. Dev Thermal, Bathinda (Annexure P-1) on the basis of compromise dated 02.06.2023 (Annexure P-4), which is stated to have been effected between the parties.

2. Since quashing was sought on the basis of compromise, this Court vide order dated 05.07.2023 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 25.08.2023 of learned Judicial Magistrate First Class, Bathinda, had been received. Report reveals that statements of complainant party i.e. respondent no.2 as also of accused/present petitioners herein, were duly

undue influence or coercion. The report is accompanied by the statements of parties. It is apparent that the complainant/respondent no.2 and accused/petitioners have arrived at a compromise voluntarily and without any coercion.

4. Learned counsel for the petitioners submits that even though provisions of Arms Act 1959, have been invoked in the FIR but no offence *qua* the same is made out. Only allegation is that the petitioners had purportedly shown a gun to the complainant who is his cousin. He further submits that neither any weapon was recovered nor shown. Thus ingredients of Section 27 of the Arms Act, are made out and Section 307 IPC was also deleted later on.

5. Learned counsel for complainant/respondent no.2 does not controvert the abovesaid averments and submits that no such incident took place of showing the gun. He further submits that he would have no objection to the quashing of FIR in question.

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*”<sup>1</sup> and a Full Bench decision of this Court in “*Kulwinder Singh and others V. State of Punjab and others*”<sup>2</sup>.

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.15 dated 06.02.2023, under Section 307 IPC and Section 27 of the Arms Act, 1959 (with Section 307 IPC deleted and Section 506 IPC added later on vide DDR No.17 dated 12.02.2023), registered at

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<sup>1</sup>Criminal Appeal No.1489 of 2012

Police Station S.G.N. Dev Thermal, Bathinda, and all proceedings emanating there from *qua* the petitioners stand quashed.

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

(ARUN MONGA)  
JUDGE

04.09.2023  
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| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |