

2023:PHHC:160471

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

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CRM-M-38837-2023
Date of Decision : 14.12.2023

BASANT SINGH AND OTHERS

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Arshdeep Singh Brar, Advocate,
for the petitioners.

Mr.P.S.Grewal, DAG, Punjab.

Mr. C.S.Jattana, Advocate,
for respondents no.2 and 3.

KULDEEP TIWARI. J.(Oral)

1. The instant petition, as cast under Section 482 of the Cr.P.C., proffers the hereinafter extracted relief, as craved by the petitioner(s), inasmuch as, quashing of the FIR No.75, dated 02.07.2021, under Sections 336, 379-B, 148, 149 and 427 of the IPC, and Sections 25/27 of the Arms Act, registered at P.S. Sadar Moga, District Moga (Punjab) and all subsequent proceedings arising therefrom, on the basis of a compromise (Annexure P-2), as entered into inter se the petitioner(s) and respondents No.2 and 3.

2. Upon an affirmative response from the learned counsel for respondents No.2 and 3 *qua* the compromise (Annexure P-2), a Co-ordinate Bench of this Court had, through an order drawn on 09.08.2023, upon the instant petition, besides issuing notice, directed the parties to appear before the trial Court/Illaq Magistrate concerned, for getting their

respective statements recorded *qua* authenticity of the compromise (Annexure P-2). Moreover, learned trial Court/Illaqa Magistrate concerned was also directed to send a report in the above regard.

3. Accordingly, in compliance of the directions (*supra*), of this Court, a report dated 11.09.2023, has been received from the Addl. District and Sessions Judge, Moga. Same is taken on record.

4. Upon perusal of Report (*supra*), it reveals that two out of 11 petitioners, are proclaimed offenders, therefore, the present FIR cannot be quashed by invoking the provisions under Section 482 Cr.P.C., that too on the basis of compromise.

5. Dismissed, at this stage.

December 14, 2023
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No