

254 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-44020-2022

DATE OF DECISION:-09.05.2023

Satgur Singh and others

...Petitioners.

vs.

State of Punjab and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Preetwinder Singh Dhaliwal, Advocate,
for the petitioners.

Mr. V.K. Gupta, AAG, Punjab.

Mr. Sandeep Siwach, Advocate for
Mr. Pardeep Singh, Advocate,
for respondents No.2 and 3.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.43, dated 15.07.2019, under Sections 307, 34 IPC and Sections 25, 27 (Act No.54) of Arms Act, 1959, registered at Police Station Rureke Kalan, District Barnala (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 25.07.2022 (Annexure P-2).

2. Though, the FIR has been lodged under Section 307 IPC, however, learned counsel for the petitioners points out that the same is an offshoot of matrimonial dispute between petitioner No.1 and respondent No.2, as the cousin sister of respondent No.2 was married to petitioner No.1 and on account of some matrimonial discord between them, the present FIR

CRM-M-44020-2022

came to be registered. He further points out that fire arm injuries have been inflicted on the non-vital part of the body i.e. upon the hands of private respondents and even the matrimonial dispute now stands resolved between the parties.

3. In pursuance to an order dated 13.03.2023 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 28.03.2023 has been received from the concerned court, stating that the compromise effected between the complainant/injured and accused persons is genuine, without any pressure and coercion or undue influence. No accused has been declared as proclaimed offender.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondents No.2 and 3 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.

CRM-M-44020-2022

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 report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.43, dated 15.07.2019, under Sections 307, 34 IPC and Sections 25, 27 (Act No.54) of Arms Act, 1959, registered at Police Station Rureke Kalan, District Barnala (Annexure P-1) 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.15,000/- to be deposited with the Punjab and Haryana High Court Association Lawyer's Family Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

09.05.2023
sonika

(HARKESH MANUJA)
JUDGE

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