

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

CRM-M-49035-2023

Date of Decision:06.12.2023

Mogli @ Sumit Kumar and Others

...Petitioners

vs.

State of Punjab and Anr.

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Navjot Singh, Advocate
for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Shubham Tandon, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

1. At the very outset, learned State counsel submits that the offence under Section 307 of IPC and 25 of the Arms Act have been ordered to be deleted in the present case.

2. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 52 dated 19.04.2023 under Sections 336 (added later on), 341,427,148,149 of IPC and Section 27 of Arms Act (Section 307,120-B of IPC and Section 25 of Arms Act deleted) registered at Police Station Sadar Sangrur, District Sangrur (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

3. Vide order dated 18.10.2023, while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise (Annexure P-2).

4. Pursuant to aforesaid order, the parties have appeared before the JMIC, Sangrur and got their statements recorded. Report dated 29.11.2023 has been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

5. I have heard counsel for the parties and gone through the case file.

6. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioners.

7. Resultantly, FIR No. 52 dated 19.04.2023 under Sections 336 (added later on), 341,427,148,149 of IPC and Section 27 of Arms Act (Section 307,120-B of IPC and Section 25 of Arms Act deleted) registered at Police Station Sadar Sangrur, District Sangrur (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

(N.S.SHEKHAWAT)
JUDGE

06.12.2023
hitesh

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