

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

CRM-M-53619-2022

Date of Decision: April 13, 2023

SIMRANJEET SINGH

..... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Bhupinder Ghai, Advocate for petitioner.

Mr. Tarun Aggarwal, Sr. D.A.G. Punjab.

Mr. Mohit Kakkar, Advocate for complainant.

HARKESH MANUJA, J. (ORAL)

By way of present petition under Section 482 Cr.P.C. the petitioner prays for quashing FIR No.40 dated 07.05.2019 under Section 392 IPC and Section 25 of Arms Act, 1959 at registered at Police Station Khamanon, District Fatehgarh Sahib (P-1) along with all consequential proceedings arising out of the same on the basis of compromise dated 12.11.2022 (P-2).

2. As per allegations levelled in the FIR, the petitioner fired a gun-shot in the shop of respondent and forcefully took away some money from the counter.

3. In pursuance to an order dated 16.03.2023 passed by this Court whereby, the parties were directed to appear before trial Court for getting their statements recorded as regards the veracity of the compromise arrived at between them, a report dated 06.04.2023 has been received from the concerned Court, stating that the compromise in the present case is genuine, voluntarily and without any coercion. There is no other accused except the present petitioner. The accused has never been

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declared as proclaimed offender.

4. Learned counsel for the petitioner submits that once, a compromise has been arrived at between the parties without any pressure and respondent No.2 has no objection as regard quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; the dispute purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He also submits that even, 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 On the other hand, learned State counsel submits that allegations in the present FIR are of serious nature and he opposes the prayer made in the petition.

6. I have heard learned counsel for the parties and gone through the records including the report dated 06.04.2023. 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 whereas rejection of compromise may lead to ill will. In the light of above developments, no cause remains for the trial Court to invest further time and effort in adjudicating this FIR as the incident has not even effected public peace or tranquility or even social or moral fabric of society. The compromise in question is even found to be fully in consonance

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with the directions issued by this Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR(Criminal) 1052, Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543, Sunita and Ors. Vs. State of Haryana and Anr. passed in CRM-M-3751-2022 dated 05.04.2022 and Gurdeep Singh @ Nikka Vs. State of Punjab, 2022(2) RCR (Crl.)697***".

7. 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 petition is allowed and FIR No. 40 dated 07.05.2019 registered under Section 392 IPC and Section 25 of Arms Act, 1959 along with all consequential proceedings arising therefrom, are hereby quashed.

13.04.2023
tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>