

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

**CRM-M-54475-2022 (O&M)
DATE OF DECISION: 26.07.2023**

Parampreet Singh @ Sunny and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Vinod Pundir, Advocate for
Mr. Ritesh Pandey, Advocate,
For the petitioners.

Mr. Mohit Thakur, AAG, Punjab.

Mr. Eklavya, Advocate,
For respondents No.2 and 3.

ARUN MONGA, J. (ORAL)

Petitioners seek quashing of FIR No.118 dated 15.06.2017 (Annexure P-1) registered under Sections 307, 323, 452, 148 read with Section 149 IPC and Section 25 of Arms Act (later on offence under Section 307 IPC was deleted and offence Under Section 336 IPC was added), at Police Station Civil Lines District Batala on the basis of compromise dated 01.11.2022 (Annexure P-2), stated to have been arrived between the parties.

2. Since quashing was sought on the basis of compromise, this Court on 23.11.2022 had directed the 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 21.01.2023 of learned Judicial Magistrate First Class, Batala, had been received. Report reveals that statements of complainant party i.e. respondent Nos.2 and 3 as also of accused/present petitioners herein, were duly recorded. It is opined that a compromise has been arrived at without any pressure, undue influence or coercion. The report is accompanied by the

statements of parties. It is apparent that the complainant/respondents No.2& 3 and accused/petitioners have arrived at a compromise voluntarily and without any coercion.

4. Learned counsel appearing on behalf of petitioners contends that the offence under Section 307 IPC has been deleted and the offence under Section 336 IPC has been incorporated. Further argues that since the gun allegedly recovered was a licensed one, no case under Section 25 of Arms Act is made out against petitioners.

5. Learned counsel for complainant/respondents No.2 and 3 states that he would have no objection to the quashing of FIR in question.

6. *Qua* allegations of the offence under Section 25 of Arms Act, it transpires that weapon that was recovered was a licensed gun and likewise though Section 307 of IPC was invoked in FIR, neither any injury as per MLR was found to be dangerous to life nor is there any role/intention/knowledge attributed to petitioners making out the ingredients of the Section, *ibid*.

7. 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***¹ and a Full Bench decision of this Court in ***Kulwinder Singh and others V. State of Punjab and others***².

8. 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.

9. Petition is thus allowed. FIR No. 118 dated 15.06.2017 (Annexure P-1) registered under Sections 307, 323, 452, 148 read with Section 149 IPC and Section 25 of Arms Act (later on offence under Section 307 IPC was deleted and offence Under Section 336 IPC was added) at Police Station Civil Lines,

¹Criminal Appeal No.1489 of 2012

²2007 (3) RCR (Criminal) 1052

District Batala and all proceedings emanating there from *qua* the petitioners stand quashed.

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

26.07. 2023
vandana

(ARUN MONGA)
JUDGE

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