

[120] IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-49511-2019  
Date of Decision :20.12.2023

Charanjit Kaur @ Channi and others ...Petitioners

versus

State of Punjab and others ....Respondents

Coram : **HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present : Mr. Veneet Sharma, Advocate for the petitioners.  
Mr. Harkanwar Jeet Singh, AAG, Punjab.  
Mr. Sandeep Sharma, Advocate for respondent Nos.2 & 3.

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**DEEPAK GUPTA, J. (ORAL)**

[1] Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.173 dated 29.10.2019, registered under Sections 307, 427, 148, 149 of IPC and Sections 25 & 27 of Arms Act, 1959 at Police Station Majitha, Amritsar Rural, District Amritsar and all subsequent proceedings arising therefrom on the basis of compromise dated 16.11.2019 (Annexure P-2).

[2] On 31.08.2023, the following order was passed:-

*“Present: Mr. Veneet Sharma, Advocate for the petitioners.  
Mr. R.S. Khaira, DAG, Punjab.  
Mr. Sandeep Sharma, Advocate for respondent Nos.2 & 3.*

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*In compliance of the previous order, learned State counsel has placed on record the copies of the medico legal report pertaining to respondent No.2-Harjit Singh and respondent No.3-Rani, revealing that Harjit Singh had sustained punctured wound on account of fire arm in his right arm; whereas respondent No.3-Rani had sustained punctured wound on the left thigh on account of use of fire arm.*

*Present petition is filed under Section 482 Cr.P.C. to quash FIR No.173, dated 29.10.2019, under Sections 307, 427, 148 and*

*149 of IPC, besides 25 and 27 of the Arms Act, 1959, registered at Police Station Majitha, Amritsar Rural, District Amritsar and all the consequential proceedings arising therefrom on the basis of the compromise dated 16.11.2019 (Annexure P-2) arrived at between the parties.*

*Though offence under Section 307 IPC is involved, but having regard to the fact the injury caused to both the injured is not on the vital part of the body, let both the parties appear before learned Trial Court/Area Magistrate for making the statements regarding the compromise on 20.09.2023, or any other date which may be fixed by the Trial Court/Area Magistrate. Learned Trial Court/Area Magistrate shall report to this Court regarding the genuineness of the compromise; number of accused involved; the fact that all the aggrieved parties are party to the compromise, that no accused is absconding/P.O. Statement of Investigating Officer shall also be recorded by the Trial Court/Area Magistrate to the effect that no other accused or aggrieved person is involved.*

*Adjourned to 14.11.2023. ”*

[3] This Court vide order dated 31.08.2023 had directed the parties to appear before the Trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send his report qua the genuineness of the compromise.

[4] Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Amritsar, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 09.10.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

[5] Statement of Respondent No.2-complainant, namely, Harjit Singh with regard to compromise was recorded before learned Magistrate on 20.09.2023.

[6] Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

[7] In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R. following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and F.I.R. No.173 dated 29.10.2019, registered under Sections 307, 427, 148, 149 of IPC and Sections 25 & 27 of Arms Act, 1959 at Police Station Majitha, Amritsar Rural, District Amritsar and all subsequent proceedings arising therefrom on the basis of compromise qua petitioners, are hereby quashed.

(DEEPAK GUPTA)  
JUDGE

20.12.2023  
'Rajneesh'

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