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

CRM-M-4055-2024

Date of decision: 26.02.2024

Balwinder Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE N. S. SHEKHAWAT

Present: Mr. Deshpreet Singh, Advcoate for
Mr. Taqdeerjeet Singh Sidhu, Advocate
for the petitioners.

Ms. Amrita Garg, AAG, Punjab.

Mr. Prince Pasricha, Advocate
for respondent No.2.

N. S. SHEKHAWAT, J. (Oral)

At the outset, learned counsel for the petitioner submits that it is a case of no injury. It has been wrongly shown that any fire-arm injury was received in the present case.

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 0045 dated 21.04.2021 registered under Sections 336 of IPC and Section 27 of Arms Act at Police Station Talwandi Chaudrian, District Kapurthala (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 22.02.2023 (Annexure P-2).

Vide order dated 25.01.2024 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/affidavit dated 22.02.2023 (Annexure P-2).

Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class, Sultanpur Lodhi and got their statements recorded. Report dated 15.02.2024 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.

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

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.

Resultantly, FIR No. 0045 dated 21.04.2021 registered under Sections 336 of IPC and Section 27 of Arms Act at Police Station Talwandi Chaudrian, District Kapurthala (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

26.02.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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