



314 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9459-2024
Date of decision:24.05.2024

JAGTAR SINGH @ TARA
VERSUS
STATE OF PUNJAB AND ANOTHER
...Petitioner
...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Manoj K. Sharma, Advocate for
Mr. Jashanjot Singh Uppal, Advocate for the petitioner.
Mr. Inderjeet Singh, DAG, Punjab.
Mr. Vinod Kumar, Advocate for respondent No.2.

KARAMJIT SINGH, J. (Oral)

1. Prayer in this petition is for quashing of FIR No.0007 dated 01.02.2024 registered under Section 336, 337, 338 of IPC and Sections 25, 27, 54, 59 of Arms Act at Police Station Sadar Bathinda, District Bathinda on the basis of compromise.
2. In the present case, police received information that respondent No.2 sustained firearm injury at the hands of the petitioner. On registration of FIR, the statement of respondent No.2-Gurwinder Singh Buttar @ Anmol was recorded by the police.
3. On notice of motion, respondent No.2 appeared in the Court through his counsel and pleaded that he has no objection if the FIR in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.



4. During the course of preliminary hearing, the trial Court/Illaq Magistrate was directed to record the statements of the all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

5. In compliance thereof, report from the Court of Judicial Magistrate First Class, Bathinda along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

6. I have heard learned counsel for the parties.

7. Learned counsel for the petitioner and for respondent No.2 are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

8. In view of above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and thus, amount to abuse of process of law.

9. For the reasons aforestated and having regard to the law laid down by Hon'ble Apex Court in **Gian Singh v. State of Punjab and another**, 2012 (4) RCR (Criminal) 543 and Five Judges Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007(3) RCR (Criminal) 1052, this petition is allowed and FIR No.0007 dated 01.02.2024 registered under Section 336, 337, 338 of IPC and Sections 25, 27, 54, 59 of Arms Act at Police Station Sadar Bathinda,

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:3:

2024:PHHC:074481



District Bathinda and all the subsequent proceedings are hereby quashed
qua the petitioner.

24.05.2024

Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No