



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

CRM-M-16166-2023

Date of Decision:01.08.2024

Rajbir Singh @ Raju

...Petitioner

vs.

State of Punjab and Anr.

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Vishva Bahl, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

Mr. Harish Kumar, Advocate for
Mr. Govind Rana, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 32 dated 06.03.2020 under Section 307 of IPC and under Section 25 and 27 of Arms Act registered at Police Station Kathunangal, District Amritsar (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

2. Vide order dated 29.03.2023, while issuing notice of motion, a Co-ordinate Bench of this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the JMIC, Amritsar and got their statements recorded. Report dated 20.07.2023 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.

4. Learned counsel for the petitioner submits that even though the fire arm was allegedly used in the present case, but no one was injured in the present case. Apart from that, the petitioners and co-villagers amicably resolved all their disputes and living peacefully in the village for the last four years.

5. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner, however, he has not controverted the factual submissions made by learned counsel for the petitioner.

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

7. 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 petitioner.

8. Resultantly, FIR No. 32 dated 06.03.2020 under Section 307 of IPC and under Section 25 and 27 of Arms Act registered at Police Station Kathunangal, District Amritsar (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

(N.S.SHEKHAWAT)
JUDGE

01.08.2024
hitesh

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