



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17818-2024
Date of Decision:07.08.2024

Gaurav Kataria and Anr. ...Petitioners

vs.

State of Haryana and Others. ...Respondents

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

Present : Mr. D.S Matya, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana.

Mr. Tarun Chawla, Advocate
for respondents No.2 to 6.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 of Cr.P.C for quashing of FIR No. 90 dated 26.03.2024 under Sections 295-A, 307,34,506 of IPC and 25 (1-B)(a) Arms Act, registered at Police Station Sector 9-A, District Gurugram (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise.(Annexure P-2).
2. Vide order dated 10.04.2024, 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, Gurugram and got their statements recorded. Report dated 26.04.2024 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.

4. Learned counsel for the petitioner submits that as per the case of the prosecution, Gaurav Kataria, petitioner No.1 had fired a shot from his countrymade pistol, however, no one was hurt in the present case.

5. Learned State counsel admits that no person had received injuries in the said incident.

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 petitioners.

8. Resultantly, FIR No. 90 dated 26.03.2024 under Sections 295-A, 307,34,506 of IPC and 25 (1-B)(a) Arms Act, registered at Police Station Sector 9-A, District Gurugram (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

(N.S.SHEKHAWAT)
JUDGE

07.08.2024
hitesh

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