

CRM-M-23941-2023
Date of decision: 06.03.2024

...PETITIONER

V/S

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Ms. Mini Mahajan, Advocate
for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.175 dated 04.06.2015 registered under Sections 341, 506, 323 of IPC and Sections 25 and 27 of Arms Act, 1959 (Sections 25 and 27 of Arms Act, 1959 deleted later on) at Police Station Civil Lines, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P-2).

2. The following order was passed on 11.05.2023 :-

“The present petition has been filed for quashing of FIR No.175, dated 04.06.2015, registered at Police Station Civil Lines, District Amritsar, under Sections 341, 506, 323 IPC and Sections 25 & 27 of Arms Act, 1959 (Sections 25 & 27 of Arms Act, 1959 deleted lateron) on the basis of compromise (P-2).

Notice of motion.

Mr. Kamapreet Bawa, AAG, Punjab accepts notice on behalf of respondent No.1 and waives service.

Ms. Vini Mahajan, Advocate, puts in appearance and accepts notice on behalf of respondent No.2.

Learned counsel for respondent No.2 admits the factum of compromise.

The parties are directed to appear before the trial Court/Illaq Magistrate on 05.07.2023 for getting their statements recorded. After recording the statements of the parties, the learned trial Court/Illaq Magistrate shall send a report to this Court regarding genuineness of the compromise between them well before the next date of hearing.

Adjourned to 04.08.2023.”

3. In compliance of the above order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

4. In view of the compromise and the ratio of law laid down by the Hon’ble Supreme Court in *Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834* and *Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63* and Full Bench of this Court in *Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (CrL.) 1052*, this petition is allowed and FIR No.175 dated 04.06.2015 registered under Sections 341, 506, 323 of IPC and Sections 25 and 27 of Arms Act, 1959 (Sections 25 and 27 of Arms Act, 1959 deleted later on) at Police Station Civil Lines, District Amritsar (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

March 06, 2024
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(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No