

Pursuant to the order dated 03.07.2023 passed by this Court, parties have appeared before the Court of the Additional Sessions Judge, Amritsar and as per its report dated 03.10.2023 submitted to this Court, both the parties have got recorded their respective statements in Court.

A perusal of the aforesaid report would show that the parties have effected a genuine compromise without there being any pressure, coercion or undue influence. In view of the compromise there is a remote possibility of the complainant coming forward to support the prosecution case. The powers under Section 482 Cr.PC can be exercised in such like situation in order to prevent unnecessary vagaries of criminal trial to be faced by the parties, when there are remote chances of conviction of the accused. The compromise in question is found to be fully in consonance with the direction issued by the Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.***

In addition, the Hon'ble Supreme Court in ***Narinder Singh and Others vs State of Punjab and Another, 2014 (2) RCR (Criminal) 482, and State of Madhya Pradesh vs Laxmi Narayan and Others, 2019(2) RCR (Criminal) 255,*** have categorized those cases where quashing on the basis of compromise was permitted and those in which, it was not permitted. It was further observed that the Court concerned may look into the medical evidence and examine the same to see as to whether the conviction under Section 307 of the IPC was possible or not.

Thus, mere registration of an FIR under Section 307 did not foreclose the right of the petitioner/accused to effect a compromise and get the FIR quashed.

The learned counsel for the petitioners contends that no firearm injury has been received and the question of recording of conviction under Section 307 IPC is highly unlikely.

In view of the aforesaid report of the Additional Sessions Judge, Amritsar accompanied by the joint statements of both the parties, the present FIR No.234 dated 06.12.2017 (Annexure P-1) registered under Sections 307, 506, 148, 149 IPC registered at Police Station Beas, District Amritsar and all other consequential proceedings arising therefrom on the basis of compromise dated 24.03.2023 (Annexure P-2) entered into between the parties, qua the petitioners are hereby quashed,

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

February 15, 2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No