

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

CRM-M-53166-2021

Date of Decision:15.04.2024

Deepak Sharma @ Monu Qawal & others

...Petitioners

vs.

State of Punjab and Anr.

...Respondents

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

Present : Mr. Ashish Aggarwal, Advocate
for the petitioners.

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

Mr. Jigerjeet Singh, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 260 dated 31.10.2021 under Sections 336,506,148,149 of IPC and under Section 25 of Arms Act, registered at Police Station Sadar Amritsar, District Police Commissionerate Amritsar, City (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 07.11.2021 (Annexure P-2).

2. Vide order dated 20.12.2021, 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 compromise dated 07.11.2021 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the

ACJM, Amritsar and got their statements recorded. Report dated 04.02.2022 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. A short reply by way of an affidavit of Assistant Commissioner of Police, North, Amritsar has been filed on behalf of respondent-State and the same is taken on record.

5. Learned State counsel submits that as per the facts of the present case it has been alleged that it is case of fire injury in the air and it is not a case of any injury.

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

5. 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.

6. Resultantly, FIR No. 260 dated 31.10.2021 under Sections 336,506,148,149 of IPC and under Section 25 of Arms Act, registered at Police Station Sadar Amritsar, District Police Commissionerate Amritsar, City (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

(N.S.SHEKHAWAT)
JUDGE

15.04.2024
hitesh

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