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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46603-2023
Date of decision: 31.01.2024

RAJ SINGH AND ORS. ...Petitioners

VERSUS

STATE OF PUNJAB AND ANOTHER ...Respondents

CORAM: HON'BLE MR. JUSTICE N. S. SHEKHAWAT

Present: Mr. Sherry K. Singla, Advocate
for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

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

N. S. SHEKHAWAT, J. (Oral)

Learned State counsel submits that there is no gun shot injury and there is no opinion on record till date regarding Section 307 IPC, whereby the injuries have been declared to be dangerous to life.

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.103 dated 09.07.2020 under Sections 307, 323, 336, 148, 149 IPC and Sections 25 & 27 of Arms Act, registered at Police Station Nehianwala, District Bathinda and subsequent proceedings arising therefrom, on the basis of compromise dated 15.08.2023 (Annexure P-2) arrived at between the parties.

Vide order dated 09.11.2023 while issuing notice of motion, by 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 dated 15.08.2023 (Annexure P-2).

Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class, Bathinda and got their statements recorded. Report dated 23.11.2023 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.

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

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.

Resultantly, FIR No.103 dated 09.07.2020 under Sections 307, 323, 336, 148, 149 IPC and Sections 25 & 27 of Arms Act, registered at Police Station Nehianwala, District Bathinda alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

31.01.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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