

**CRM-M-48420-2023(O&M)****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****116+277****CRM-M-48420-2023(O&M)
Date of decision : 21.08.2024****Gurnam Singh @ Gama and Ors.****..... Petitioners****V/S****State of Punjab and Anr.****..... Respondents****CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI****Present: Mr. Suresh Kumar, Advocate for petitioners.****Mr. Neeraj Madaan, Sr. DAG, Punjab.****Mr. Aanand Kumar Maurya, Advocate for respondent No.2.************AMARJOT BHATTI J.**

1. Petitioners - Gurnam Singh @ Gama, Gurpreet Singh @ Gopi, Gurpreet Singh @ Gora and Harman Singh have filed instant petition under Section 482 of Cr.P.C. for quashing of FIR No.86 dated 01.06.2022 under Sections 341, 506 of IPC (Sections 148, 149 of IPC and Sections 25, 27 of Arms Act were deleted vide GDR No.30 dated 20.01.2023), registered at Police Station Majitha, District Amritsar (Rural) and all subsequent proceedings arising therefrom on the basis of compromise dated 15.07.2022 (Annexure P-2).

2. Facts of the case are Sukhjit Singh complainant gave his statement to the police that about four years ago, he had gone to Kuwait. Gurnam Singh @ Gama got friendly with his brother-in-law Gurjit Singh. They were in bad company and in his absence they started visiting his

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house to have illicit relations with his wife but she resisted. They started threatening his wife on phone that in case she did not agree, they would take away her daughter. One day at night time, Gurnam Singh @ Gama came with fake pistol and tried to abduct his wife who cried for help. Said Gurnam Singh @ Gama ran away from there. He absconded for about two years and his family asked for apology. Complainant returned back from Kuwait and his wife told him the whole story. On 16.04.2022 at about 6:30 PM, he was returning home when Gurnam Singh @ Gama, Harman Singh, Gurpreet Singh @ Gopi, Gurpreet Singh @ Gora along with three other persons stopped him on the way and started abusing him. One of the boy was carrying pistol. In the meantime, his uncle's son Mandeep Singh came on the spot who started preparing video on his mobile phone. His cousin was also threatened. People started gathering there and thereafter the aforesaid persons ran away from the spot along with their weapon. With these allegations, present FIR was registered.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Petitioners and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed reports regarding compromise has been received from the court of Judicial Magistrate Ist Class, Amritsar dated 18.04.2024 and 16.07.2024. Statement of respondent No.2 has been recorded, where he confirmed the compromise with petitioners. He confirmed that this compromise has been effected without any pressure, coercion and undue influence from any side and he has no objection regarding quashing of FIR.

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4. Petitioners Gurnam Singh @ Gama, Gurpreet Singh @ Gopi, Gurpreet Singh @ Gora and Harman Singh also confirmed this fact in their separate statements. Statement of ASI Baldev Raj is also recorded who further confirmed that accused have not been declared as proclaimed offender.

5. Therefore, from the reports of Judicial Magistrate Ist Class, Amritsar, it is clear that compromise has been effected between parties without any pressure, coercion or undue influence, which is acceptable to both the parties.

6. Considering all these factors in mind, in the case in hand both parties have mutually settled their dispute. They are residents of same village. It would enable them to live in peace and harmony and end all litigation started between them. Thus no purpose would be served with the continuation of criminal proceedings.

7. Therefore considering these facts, petition filed by petitioner is accepted and FIR No.86 dated 01.06.2022 under Sections 341, 506 of IPC (Sections 148, 149 of IPC and Sections 25, 27 of Arms Act were deleted vide GDR No.30 dated 20.01.2023), registered at Police Station Majitha, District Amritsar (Rural) is quashed qua petitioners.

8. Accordingly, present petition stands accepted.

9. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

21.08.2024.*Sunil Devi*

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No