

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-54522-2024
Decided on 29.10.2024

Rajiv Sharma

... Petitioner

VS.

State of Punjab & Anr.

... Respondents

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Petitioner in person

Mr. Jaspal Singh Guru, AAG Punjab

Mr. LM Gulati, Advocate for respondent No.2

Sandeep Moudgil, J.

(1). The petitioner has filed the instant petition under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for quashing of the FIR No.0014 dated 10.02.2024 (Annexure P1) under Sections 307/506/323 IPC and Sections 25/27 of Arms Act, 1959 registered at Police Station Ranjit Avenue District Amritsar along with subsequent proceedings arising therefrom on the basis of compromise effected.

(2). The petitioner appearing in person submits that the submits that the present FIR is due to some misunderstanding between the parties who are also advocates and the said FIR has been registered by respondent No.2 and with the intervention of the respectable persons, a compromise has been effected between the parties.

(3). This Court, in somewhat similar circumstances, quashed the FIR vide order dated 11.03.2013 passed in CWP No.4964 of 2013 (Court on its own motion vs. UT Chandigarh & Ors.) by holding as under:-

“Since the matter stands settled and it is also specifically recorded in the report that if such a matter proceeds further in any Court of law, there is no likelihood of any success and this exercise would prove to be in futility. Accepting the said report, in exercise of our inherent jurisdiction, we quash the FIR No.40 dated 4.3.2013 registered under Sections 147/149/186/332/353/341 IPC at Police Station Sector-3, Chandigarh.

*Counsel for the parties, who are present in the Court, agreed with the aforesaid course of action. Even otherwise, our order is as per the judgment of Hon'ble the Supreme Court in **B.S. Joshi and others v. State of Haryana and another, 2003(2) RCR (Criminal) 888** followed by Five Judges Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007(3) RCR (Criminal) 1052.**”*

(4). Since the instant FIR is a result of some misunderstanding between the Advocates practicing at District Courts, Amritsar and this Court has already quashed the FIR in similar circumstances in CWP No.4964 of 2013 (Court on its own motion vs. UT Chandigarh & Ors.), and also taking into consideration the fact that the parties have entered into a compromise and as such, continuance of proceedings in the instant FIR would be an exercise in futility, this petition is allowed and the FIR No.0014 dated 10.02.2024 (Annexure P1) under Sections 307/506/323 IPC and Sections 25/27 of Arms Act, 1959 registered at Police Station Ranjit Avenue District Amritsar along with subsequent proceedings are hereby quashed qua the petitioner.

29.10.2024

V.Vishal

1. Whether speaking/reasoned?
2. Whether reportable?

(Sandeep Moudgil)
Judge

Yes/No
Yes/No