



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

293

CRM-M-52032-2024
Date of Decision: 20.02.2025

PAWAN AND ANOTHER

...PETITIONERS

Versus

STATE OF HARYANA AND ANOTHER

... RESPONDENTS

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

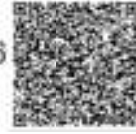
Present: Mr. Nikhil Kaushik, Advocate
for the petitioners.

Mr. Gurmeet Singh, AAG, Haryana.

Mr. Gurminder Singh Phull, Advocate
for respondent No.2.

N. S. SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, for quashing of an FIR No.0135 dated 05.08.2024 under Sections 25 of Arms Act and Sections 109(1), 126, 3(5) and 351(2) of BNS, registered at Police Station Sadar Kanina, (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 01.10.2024 (Annexure P-2) and on the basis of the affidavit of Victim/respondent No.2 (Annexure P-3).



2. Vide order dated 04.12.2024, 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 01.10.2024 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class, Kanina and got their statements recorded. Report dated 19.12.2024 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. Learned counsel for the parties submit that it is a case of no injury and the offence under Section 307 IPC has been wrongly added in the present case.

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

6. 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.

7. Resultantly, FIR No.0135 dated 05.08.2024 under Sections 25 of Arms Act and Sections 109(1), 126, 3(5) and 351(2) of BNS, registered at Police Station Sadar Kanina, (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

20.02.2025
vipin

(N. S. SHEKHAWAT)
JUDGE

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