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**(2021) 01 P&H CK 0412**

**In the Punjab And Haryana At Chandigarh**

**Case No :** Criminal Miscellaneous Petition (M) No. 31043 Of 2020

Amarjit Singh And Others

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

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**Date of Decision :** 29-01-2021

**Acts Referred:**

Indian Penal Code, 1860 — Section 148, 149, 323, 452  
Arms Act, 1959 — Section 25, 27, 54, 59

**Citation :** (2021) 01 P&H CK 0412

**Hon'ble Judges :** Sudip Ahluwalia, J

**Bench :** Single Bench

**Advocate :** A.S. Sekhon, B.S. Sewak, Aman Dhir

**Final Decision :** Allowed

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**Judgement**

Sudip Ahluwalia, J

[1]. In this petition, the petitioners, who are the accused persons in F.I.R No.04, dated 15.01.2013, under Sections 452, 323, 148 and 149 of the Indian

Penal Code & Sections 27, 25, 54 and 59 of the Arms Act, registered at Police Station Gidderbaha, District Sri Muktsar Sahib (Annexure P-1), have

prayed for quashing of F.I.R. with all subsequent proceedings, on the basis of compromise.

[2]. On perusal of the FIR, it is verified that there is the allegation of the accused persons being armed with a 12 bore small gun, but absolutely no

incident of any actual firing having taken place.

[3]. With the intervention of respectables and elderly people of the society, the complainant has arrived at a settlement with the accused vide Affidavit

of respondent No.2/complainant (Annexure P-2), which is duly signed by him. The matter was referred to the Court below for recording of statements

of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Sub Divisional Judicial Magistrate, Gidderbaha, vide report dated 23.11.2020, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[4]. Respondents No.2 and 3 are represented by their Counsel through Video Conferencing, who does not dispute the compromise.

[5]. In view of the report of the Sub Divisional Judicial Magistrate, Gidderbaha, and in view of the decisions of the Hon'ble Supreme Court in *â??Gian*

*Singh Vs. State of Punjab and anotherâ??*, 2012(4) RCR (Criminal) 543 and *â??Narinder Singh and Others Vs. State of Punjab and Anotherâ??*, (2014)

6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since respondent

No.2/complainant has himself compromised the dispute with the petitioners/accused persons.

[6]. In the circumstances, the present petition is allowed. F.I.R No.04, dated 15.01.2013, under Sections 452, 323, 148 and 149 of the Indian Penal

Code, & Sections 27, 25, 54 and 59 of the Arms Act, registered at Police Station Gidderbaha, District Sri Muktsar Sahib (Annexure P-1), with all

consequential proceedings arising therefrom, is hereby quashed qua the present petitioners.