

(2021) 02 P&H CK 0205

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 224 Of 2021

Gurnek Singh And Others

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 18-02-2021

Acts Referred:

Indian Penal Code, 1860 — Section 148, 149, 307, 427, 506
Arms Act, 1959 — Section 25, 27

Citation : (2021) 02 P&H CK 0205

Hon'ble Judges : Anupinder Singh Grewal, J

Bench : Single Bench

Advocate : Amit Arora, Dhruv Dayal, Jagjit Singh

Final Decision : Allowed

Judgement

Anupinder Singh Grewal, J

Heard through video conferencing.

The petitioners are seeking quashing of FIR No.11 dated 08.02.2020, under Sections 307, 506, 427, 148, 149 IPC and Sections 25, 27 of the Arms Act

registered at Police Station Chohla Sahib, District Tarn Taran, on the basis of compromise dated 26.02.2020 (Annexure P-2), which has been arrived

at between the parties.

Learned counsel for the petitioners contends that although it is alleged in the FIR that shots were fired but they did not hit anyone. It is a case of no

injury. He also contends that the parties are residents of the same village and there was a dispute between them with regard to monetary transactions

which has now been resolved and the matter has been compromised. He has referred to the copy of the compromise at Annexure P-2.

Learned counsel for respondents No.2 to 4 states that the matter has indeed been compromised.

This Court vide order dated 06.01.2021 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements and

send a report as to whether the compromise has been arrived at without any coercion or undue influence. The report of the Judicial Magistrate Ist

Class, Tarn Taran dated 22.01.2021 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties

were recorded which indicates that compromise which has been effected is genuine, voluntary and without undue influence.

The FIR is the outcome of a monetary dispute between the parties.

It is a case of no injury and the matter has now been compromised.

In view of the law laid down by the Supreme Court in the case of Narinder Singh vs. State of Punjab 2014 (6) SCC 466, no useful purpose will be

served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.11 dated 08.02.2020, under Sections 307, 506, 427, 148,

149 IPC and Sections 25, 27 of the Arms Act registered at Police Station Chohla Sahib, District Tarn Taran and all consequential proceedings are

hereby quashed qua the petitioners.