

(2012) 03 P&H CK 0128

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous M No. 1445 of 2012

Ravinder Singh @ Harvinder Singh and Others

APPELLANT

Vs

State of Punjab and Another

RESPONDENT

Date of Decision : 28-03-2012

Acts Referred:

Arms Act, 1959 — Section 25, 25(54), 27, 59
Criminal Procedure Code, 1973 (CrPC) — Section 482
Penal Code, 1860 (IPC) — Section 148, 149, 336, 341, 506

Citation : (2012) 03 P&H CK 0128

Hon'ble Judges : Kanwaljit Singh Ahluwalia, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Kanwaljit Singh Ahluwalia, J.—Present petition has been filed u/s 482 Cr.P.C. seeking quashing of FIR No. 36 dated 5.11.2011, registered at Police Station Koom Kalan, District Ludhiana, under Sections 336, 341, 506, 148, 149 IPC and Section 25/27/25(54)/59 of the Arms Act. A Coordinate Bench, on January 16, 2012, had passed the following order:-

Learned Counsel for the petitioners submits that during the pendency of the investigation, the petitioners have amicably settled their scores with respondent No. 2 and have effected a compromise.

Notice of motion for 28.03.2012.

The petitioners and respondent No. 2 are directed to appear before the learned Chief Judicial Magistrate, Ludhiana on 16.02.2012 who shall record their statements with regard to the compromise and submit his report to that effect on or before the date fixed by this Court.

2. Pursuant to the order passed by this Court on January 16, 2012, the court of Chief Judicial Magistrate, Ludhiana has recorded the statements of the parties and has submitted a report to this Court, relevant portion whereof reads as

under:

2. Accordingly, on 16.02.2012 statement of accused Ravinder Singh @ Harvinder Singh, Dharminder Singh, Jagdeep Singh @ Happy, Parveen Kumar, Rajwinder Singh, Harjinder Singh and Yuvrajjit Singh on identification of Sh. J.S. Nagra, Advocate and of Sohan Singh complainant on identification of Sh. Jatinder Kumar Arora, Advocate recorded on 16.02.2012. Both complainants and accused stated that they have compromised with each other in the above said case voluntarily, without any pressure or coercion from any part.

3. From the statements, it appears that compromise has been voluntarily entered into between the parties without any pressure or coercion.

3. In the present case, no injury has been caused by the fire-arm. Petitioners are also stated to have suffered injuries in the occurrence. It is stated to be a case of version and cross version. Shri Sukhjit Singh, Counsel appearing for the petitioners, states that the parties have decided to promote everlasting peace and bring an end to bad blood and feud between them.

4. Considering the fact that the compromise shall promote amity, harmony and cordial relations between the parties and taking into account the observations made by a Full Bench of this Court in Kulwinder Singh v. State of Punjab, 2007 (3) RCR (Crl.) 1052, this Court is of the view that the continuance of proceedings, if the compromise has been arrived at, will serve no useful purpose. Consequently, present petition is accepted and the impugned FIR is quashed on the basis of compromise which has been verified by the court of Chief Judicial Magistrate, Ludhiana.