

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Crl. Misc. No. M-13658 of 2014 (O&M)
Date of decision : 27.01.2015

Rupinder Singh @ Pinder SinghPetitioners
versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. C.L. Verma, Advocate,
for the petitioner

Mr. Daljeet Singh Virk, AAG, Punjab

RITU BAHRI, J. (Oral)

Quashing of FIR No. 45 dated 20.03.2008 under Sections 279/337/338/427/323/34 IPC, registered at P.S. Sidhwan Bet, District Ludhiana and order dated 27.08.2010 (P-2) vide which the petitioner was declared proclaimed offender, is being sought on the basis of compromise dated 05.04.2014 (Annexure P-4).

F.I.R has been registered on the statement of respondent No. 2 against the petitioner and co-accused Baljinder Singh and Sanjeev Kumar with the allegations that when he was coming back towards Jagraon, then from the side of Jagraon a jeep bearing NO. HR-BE-3572 which was driven by Hindu youth and 4-5 youths were sitting in the jeep struck with the car of the complainant with a high speed without giving any horn, due to which the car has suffered great loss and bone of left hand wrist of the daughter of the complainant was broken and she also received some injuries and thereafter, the accused started hurling abuses to the complainant and started giving him blows. On raising alarm, the passerby came at the spot, who rescued the complainant from their hands.

Thereafter, vide order dated 27.08.2010, the petitioner was declared proclaimed offender and vide judgment dated 01.02.2013, the co-accused Baljinder Singh and Sanjeev Kumar were acquitted of the charges framed against them.

This Court, vide order dated 23.04.2014 had given liberty to the petitioner to appear before the Area Magistrate within one month and thereafter he shall be released on bail on furnishing bail bonds. In compliance of this order, the petitioner appeared before the Court below and thereafter, this Court directed the parties on 01.09.2014 to get their statements recorded before the trial Court with regard to factum of compromise dated 05.04.2014 (Annexure P-4)

In compliance of order dated 01.09.2014, report of District and Sessions Judge, Ludhiana has been received in this regard. As per report, statement of complainant-Kaur Singh has been recorded to the effect that he had compromised the matter with the accused person and has no grudge against him. He has no objection, if the present F.I.R be quashed against the petitioner. Statement of petitioner has been recorded to the same effect. The compromise has been entered voluntarily and without any pressure.

Consequently, in view of the status report and in view of the judgment of the Hon'ble Supreme Court in the case of Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429, the law laid down by the Full Bench of this Court in the case of Kulwinder Singh and Ors. vs. State of Punjab and another 2007(3) RCR (Crl.) 1052, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 45 dated 20.03.2008 under Sections 279/337/338/427/323/34 IPC, registered at P.S. Sidhwan Bet, District Ludhiana and order dated 27.08.2010 (P-2), are quashed with all

consequential proceedings arising therefrom qua petitioners.

The petition stands disposed of.

27.01.2015
G Arora

(RITU BAHRI)
JUDGE