

**IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH**

**CRM-M-13653-2015
Decided on : 29.05.2015**

Bikramjit @ Bikka and others ... Petitioners

Versus

State of Punjab and others ... Respondents

CORAM : HON'BLE MS. JUSTICE NAVITA SINGH

Present : Mr. Sumeet Singh Brar, Advocate
for the petitioners.

Mr. B.S. Bhullar, AAG, Punjab
for respondent No.1.

Respondents No.2 and 3 in person with
Mr. Amandeep S. Rehal, Advocate

NAVITA SINGH, J. (Oral)

This is a petition under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No. 95 dated 26.09.2014, under Sections 279, 337, 427, 323, 382, 148, 149 IPC and Section 325 added lateron registered at Police Station Cantt, District Bathinda, on the basis of compromise, along with all subsequent proceedings arising therefrom.

Intitially an accident had taken place allegedly due to negligence of the accused regarding which a case under Section 279 and 337 IPC was made out. However, immediately after the accident the parties started fighting with one another and some of the persons were injured.

It is not understandable as to how Section 382 IPC was attracted, because in such event there could be no preparation to cause death or hurt nor there could be prior intention of any such kind. Also it

could not be said that the accused acted in furtherance of any common object so as to attract Section 149 IPC. Regarding the remaining offences which are bailable the parties have already entered into a compromise.

Needful stands made by Judicial Magistrate 1st Class, Bathinda and report has been received from her.

So, in view of the above circumstances and in view of authority reported as, ***Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052***, the above said FIR stands quashed. Further proceedings in pursuant to that FIR also stand quashed.

Disposed of.

May 29, 2015
Naveen

(NAVITA SINGH)
JUDGE