

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

Crl. Misc. No.M-16684 of 2013

Date of Decision: 10.02.2015

Yadwinder Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Harish Goyal, Advocate
for the petitioner.

Ms. Ritu Punj, Addl. A.G., Punjab
for the respondent-State.

Mr. Amandeep S. Rehal, Advocate
for respondents No.2 and 3.

DAYA CHAUDHARY, J.

The present petition has been filed for quashing of FIR No.55 dated 05.04.2008 registered under Sections 279/337/338/427 IPC at Police Station Ghal Khurd, District Ferozepur, on the basis of compromise.

The FIR, in question, was registered on the basis of complaint made by Manjit Kaur-respondent No.2.

As per allegations in the FIR, the complainant and her husband Jarnail Singh were going on motor-cycle to their village and driver of the car-Yadwinder Singh hit the motor-cycle and both of them fell down. The husband of the complainant got injured and was got admitted in the hospital. The motor-cycle was also badly damaged.

However, during pendency of the proceedings and with the intervention of common friends and neighbours, the parties have arrived at a compromise. The complainant has stated in her statement that she has no objection in quashing of the FIR registered against accused/petitioner-

Yadwinder Singh. Injured husband-Jarnail Singh died subsequently. The son of the deceased-Jarnail Singh and complainant is respondent No.3 and his statement was also recorded. Respondents no.2 and 3 have stated in their respective statements that they are legal heirs of deceased Jarnail Singh and they have no objection in quashing of the FIR, in question, as well as other proceedings arising therefrom against the petitioner.

As per report sent by Judicial Magistrate Ist Class, Ferozepur, the compromise between the parties is as per their free will and without any pressure and coercion.

Since the dispute between the parties has been settled by way of compromise and the complainant as well as legal representative of the injured-deceased have no objection in quashing of the FIR and moreover, no purpose would be served, in case, the proceedings are allowed to be continued, the ultimate result would be acquittal as the complainant as well as legal representative of the deceased are not going to support the case of the prosecution. The continuation of the proceedings would also be an exercise in futility and will not only be the wastage of valuable time of the Court but would also be not in the interest of both the parties. This Court has power to quash the proceedings on the basis of compromise.

Accordingly, the present petition is allowed and FIR No.55 dated 05.04.2008 registered under Sections 279/337/338/427 IPC at Police Station Ghal Khurd, District Ferozepur along with all consequential proceedings arising therefrom, qua petitioner Yadwinder Singh are hereby quashed.

10.02.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE