

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

(255)

CRM-M-26071-2015

Decided on: October 09, 2015.

**Harpreet Singh**

.... Petitioner

**Versus**

**State of Punjab and another**

..... Respondents

**CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI**

Present: Mr. A.S. Gill, Advocate, for the petitioner.

Mr. Jashan Preet Singh, AAG, Punjab.

Mr. Gurinder Singh Hayer, Advocate, for respondent No.2.

**M.M.S. BEDI, J (ORAL)**

Petitioner seeks quashing of FIR No.48 dated 19.05.2014, under Sections 304-A, 279, 427 IPC registered at Police Station Moga Sadar, District Moga on the basis of compromise.

The said FIR was registered at the instance of Binder Singh alleging that the petitioner was driving jeep in a rash and negligent manner which had collided with the scooter of the deceased due to which he died. Petitioner appears to have compensated the heirs of the deceased.

It has been informed that the statements of the witnesses have not yet been recorded.

Taking into consideration the status of the trial and the statement of the parties having been recorded under the orders of this Court, in the interest of justice, it is ordered that instead of quashing the FIR on the basis of compromise, a direction is issued to the trial Court to decide

the trial on the basis of statement of the complainant and the victim of matter having been compromised.

It will be open to the trial Court to give benefit of doubt to the petitioner or grant any other relief keeping the compromise entered into between the parties, in mind. The trial Court would be entitled to give benefit of doubt or treat the compromise as a mitigating circumstance to grant the relief like release on probation etc, while deciding the case. It is directed that the trial will be concluded within a period of 4 to 6 months.

Disposed of with abovesaid observations.

**(M.M.S. BEDI)**  
**JUDGE**

**October 09, 2015**  
*harsha*