

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

Crl. Misc. No. M-31931 of 2014

Date of decision: 02.02.2015

Narinder Singh

...Petitioner

versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. B.S. Aliana, Advocate,
for the petitioner.

Mr. A.S. Kler, DAG, Punjab.

RITU BAHRI, J.

This petition under Section 482 Cr.P.C. is for quashing of FIR No.164 dated 14.10.2013, under Sections 353/186 IPC, registered at Police Station, City Fazilka, District Fazilka.

The FIR was registered on the basis of statement made HC Kuldeep Lal-respondent No.2, alleging that the petitioner came to him and sought appointment to meet Mr. Surjit Kumar Jayani, Health Minister, Punjab. The complainant, who was standing on the main gate of the rest house, asked the petitioner to wait for a while. Thereafter, the petitioner started shouting loudly. In the meantime, HC/P Gurdes Singh came at the spot. He and the complainant tried to persuade the petitioner, but he started threatening them in loud noise. In this background, the FIR was registered.

On notice, reply on behalf of respondent No.1-State, in the shape of affidavit of Deputy Superintendent of Police, Sub Division, Fazilka, has been filed, stating therein that during enquiry on an application moved by the petitioner, HC Kuldeep Lal-complainant made a statement dated 20.03.2014

(Annexure P-3) before the Deputy Superintendent of Police, Fzilka to the effect that the petitioner had apologized before him in the presence of respectable persons of the village and now, he (complainant) does not want to pursue the case. The enquiry report dated 26.03.2014 is annexed as Annexure P-2.

Learned State counsel does not dispute the fact that the petitioner has apologized before the complainant.

A perusal of the statement dated 20.03.2014 (Annexure P-3) made by HC Kuldeep Lal-complainant, shows that he has accepted the apology tendered by Narinder Singh-petitioner and now he does not want to pursue this case and has no objection, if the FIR is quashed.

Keeping in view that the matter has now been amicable settled between the parties, this Court is of the view that no purpose would be served by prolonging the litigation, as continuation of criminal proceedings would be nothing, but an abuse of the process of Court.

In the present case, respondent No. 2 has refused to accept the notice, but in his statement dated 20.03.2014 (Annexure P-3), he has clearly stated that he does not want to pursue the case against the petitioner and has no objection, if the F.I.R is quashed against him. He has accepted the apology tendered by the petitioner.

Thus, the aforesaid statement given by respondent No. 2-HC Kuldeep Lal is being accepted that he does not want to pursue against the petitioner.

Accordingly, FIR No.164 dated 14.10.2013, under Sections 353/186 IPC, registered at Police Station, City Fazilka, District Fazilka, is quashed with all consequential proceedings arising therefrom qua the

petitioner.

Petition stands allowed accordingly.

(RITU BAHRI)
JUDGE

02.02.2015

ajp