

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

CRM No.M-38190 of 2015 (O&M)

Date of decision: 06.11.2015

Rinku

...Petitioner

Versus

State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Vivek K. Thakur, Advocate for the petitioner

Jitendra Chauhan, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure (for short 'the Cr.P.C.') for quashing of FIR No.261 dated 24.12.2006, registered under Sections 324 read with Section 34 of the Indian Penal Code (for short 'the IPC') and all subsequent proceedings including the order dated 13.01.2009 (Annexure P-5).

It is contended that the brother of the petitioner has been acquitted vide judgment dated 15.12.2009 (Annexure P-6) passed by the Court of Additional Judicial Magistrate Ist Class, Jalandhar and refers to Annexure P-2, whereby the compromise has been effected between the parties. He cites '**Sudo Mandal @ Diwark Mandal Vs. State of Punjab**'.

The co-accused namely Sonu has been acquitted as he faced trial, subsequently, the petitioner cannot seek parity with the co-accused Sonu as the petitioner escaped from the process of law.

Keeping in view the fact the compromise has been effected between the parties and the co-accused on the similar facts, has been acquitted vide judgment dated 15.12.2009 (Annexure P-6), this petition is disposed of and in case the petitioner surrenders before the trial Court within 10 days from today, he shall be admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

06.11.2015
ashok

(JITENDRA CHAUHAN)
JUDGE