

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-41418 of 2015

.....

Date of decision:7.12.2015

Bhushan Kumar alias Billa and others

.....Petitioners

v.

State of Punjab and another

.....Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mrs. Deipa Asdhir Dubey, Advocate for the petitioners.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.41 dated 26.5.2015 (Annexure-P.1) registered for the offence under Section 306 IPC at Police Station D-Division, Amritsar City, District Amritsar on the basis of compromise (Annexure-P.2) entered into between the petitioners and complainant-respondent No.2.

I have heard learned counsel for the petitioners and have gone through the record.

From the record, I find that the FIR has been registered under Section 306 IPC on the statement of Savita alias Mini-respondent No.2. As per the FIR, the husband of respondent No.2, namely, Sanjiv Kumar Mehra committed suicide due to the harassment given by the present

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petitioners etc. As per the FIR, suicide note was also written by Sanjiv Kumar Mehra (since deceased).

Keeping in view the facts and circumstances of the present case, nature and gravity of the offence, I do not find it a fit case where the FIR can be quashed on the basis of compromise. Even in Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543, the Hon'ble Supreme Court has held that in serious nature of offences i.e. for the offences under Sections 302, 376 and dacoity etc. the FIR should not be quashed on the basis of compromise.

Therefore, keeping in view the facts and circumstances of the present case, nature and gravity of the offence and the law laid down by Hon'ble Supreme Court, there is no merit in this petition and the same is dismissed.

December 7, 2015.

(Inderjit Singh)
Judge

hsp