

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-5233 of 2015

Date of decision: May 18, 2015

Akshey @ Jaspreet Singh and others

.. Petitioners

Vs.

State of Punjab and another

.. Respondents

Coram: Hon'ble Mr. Justice Surinder Gupta

Present: Mr. A.S. Sandhu, Advocate for the petitioners.
Mr. Amritpal Singh Gill, AAG, Punjab.
Mr. D.S. Sandhu, Advocate for respondent No.2.

Surinder Gupta, J

The petitioners have filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of the FIR No.12 dated 27.2.2012 (Annexure P-1), registered for offence punishable under Sections 341, 323, 325, 506, 148, 149 IPC at Police Station Sandaur, District Sangrur, on the basis of the compromise (Annexure P-2).

As per case of the prosecution, on 25.2.2012 at about 5.30 p.m. when the complainant-respondent No.2 along with his friend Mohd. Arshad was returning to his village after attending marriage, the petitioners armed with deadly weapons stopped them on the way, caused injuries to him and also threatened to kill him.

Upon notice, Mr. Amritpal Singh Gill, Assistant Advocate General, Punjab has put in appearance on behalf of respondent No.1-State and Mr. D.S. Sandhu, Advocate has put in appearance on behalf of respondent No.2-complainant.

I have heard learned counsel for the parties and perused the case file.

The parties were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 27.2.2015 stating therein that the compromise has been effected in between

the complainant and the accused which appears to be voluntary in nature and without any pressure or influence.

Learned counsel for the respondent No.2-complainant has submitted that in view of the compromise (Annexure P/2), the private respondent (complainant) has no objection if the impugned FIR (Annexure P/1) is quashed. Learned State counsel has also not disputed the compromise (Annexure P/2).

In the instant case, the compromise has been effected with the intervention of the respectables and now the parties wish to live in peace and harmony.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties to this petition but also for their families and ultimately the society at large. The offence in this case is not so heinous or serious that it cannot be settled by the parties through compromise.

In view of the above discussion, the instant petition is allowed and the impugned FIR (Annexure P-1) along with all consequential proceedings arising therefrom is quashed.

May 18, 2015
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(Surinder Gupta)
Judge