

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11409 of 2016

Date of Decision: 02.09.2016

Parminder Singh @ Pomi and OthersPetitioners

Vs.

State of Punjab and anotherRespondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.G.S.Bhatia, Advocate, for the petitioners.

Ms.Manpreet Dhaliwal, AAG Punjab.

Mr.Sanjeev Banga, Advocate, for respondent No.2.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.137 dated 02.06.2015 for the offence under Sections 382, 354 IPC registered at Police Station Cantonment, District Amritsar (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 02.03.2016 (Annexure P-2).

It was alleged by the complainant-Gagandeep Singh that he along with his sister and mother were going to the house of their relative and when they reached near Railway Fathak, Kot Khasla and complainant put on the breaks of his car near the speed breaker mid on the road then one Aactiva got hit with their car from behind then the complainant came out of his car and saw that one person who was in an inebriated condition had fallen on the road and due to the fall he was bleeding from his mouth

and forehead. The complainant party helped him and took him in their

car and admitted him in Ambar Hosital. In the evening, petitioners along with 7-8 persons came there and they did not permitted the complainant party to get the injured person treated and started quarreling with them. They also snatched a gold chain, four gold rings, cash, ATM Card, mobile and other ornaments mentioned in the FIR. Petitioners also misbehaved with the mother and sister of the complainant and they had beaten the complainant party. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioner and respondent No.2-Gagandeep Singh vide compromise deed dated 02.03.2016 (Annexure P-2).

In compliance with the order dated 12.07.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Amritsar, has been received in this regard. As per report, Gagandeep Singh-complainant and accused-petitioners appeared before the trial Court on 10.08.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant-Gagandeep Singh and accused-petitioners were recorded to the effect that they have compromised the matter and Gagandeep Singh-complainant has no objection if the present FIR is quashed against these accused/petitioners. Statements of accused-petitioners were also recorded to the same effect. In view of separate statements of the parties, the Court is satisfied that the compromise is valid and genuine one.

Consequently, in view of the status report and the judgment of the Hon'ble Supreme Court in the case of Madan Mohan Abbot vs.

State of Punjab 2008(2) RCR (Criminal) 429, the law laid down by the

Full Bench of this Court in the case of Kulwinder Singh and others Vs. State of Punjab and another 2007(3) RCR (Cr1.) 1052, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.137 dated 02.06.2015 for the offence under Sections 382, 354 IPC registered at Police Station Cantonment, District Amritsar (Annexure P-1), is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

02.09.2016

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