

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

Crl. Misc. M 22835 of 2016 (O&M)
Date of decision: 26.8.2016

Harbail Singh Grewal

...Petitioner

Versus

State of Punjab and others

...Respondent

CORAM:- HON'BLE MR. JUSTICE A. B. CHAUDHARI

Present: Mr. R. Kartikeya, Advocate,
for the petitioner.

Ms. Rimpaljit Kaur, AAG, Punjab.

A. B. CHAUDHARI, J. (Oral)

Rule.

Heard forthwith.

The petitioner is an accused in FIR No. 37 dated 27.3.2014 registered under Sections 279, 337, 338 IPC at Police Station Khamano (Annexure P/1).

Learned counsel for the petitioners submits that this is a case of accident in which the petitioner's Santro car hit a passerby, as a result of which he suffered fractures. He has compensated him by paying an amount of Rs. 1 lakh that is reflected in the document Annexure P/2, which is an affidavit.

This Court had issued notice of motion in order to find out the correctness of the claim made by the petitioner. Though served no one has appeared on behalf of the respondents No. 2 and 3. There is, therefore,

reason to believe that the complainant does not want to prosecute the FIR. That may be so as the complainant injured has been compensated and as stated by the learned counsel a sum of Rs. 1 lakh has been paid, which is a handsome amount.

In that view of the matter, I think there is no point in going ahead with the prosecution in question since the case is one of accident by a Santro car driven by the petitioner.

In the result, applying the ratio of judgment of the Apex Court in Gian Singh Vs. State of Punjab 2012 (4) RCR (Crl.) 453, I think compounding/compromise should be allowed.

Consequently, FIR No. 37 dated 27.3.2014 registered under Sections 279, 337, 338 IPC at Police Station Khamano (Annexure P/1) and all subsequent and consequent proceedings are quashed.

The present petition stands disposed of accordingly.

26.8.2016
prem

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No-