

Criminal Miscellaneous No.M-25614 of 2016

Date of Decision: July 28, 2016

Amandeep Kumar @ Rinku & others

..... PETITIONERS

VERSUS

State of Punjab & another

..... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

. . .

PRESENT: Mr. Sandeep Arora, Advocate, for the petitioners.

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Jaspal Singh, J

1. By virtue of this petition preferred under Section 482 Cr.P.C., petitioner has sought quashing of FIR No.166 dated November 22, 2012 under Sections 307, 324, 323, 148, 149, 427 IPC, registered at Police Station, Goraya, District Jalandhar (Annexure P-1) alongwith all subsequent proceedings arising therefrom, on the basis of compromise.

2. At the very outset, it would be pertinent to mention that instant case was registered on November 22, 2012 for commission of offence fully depicted in Para No.1 of the judgment. During the course of arguments, it has emerged that after completion of investigation, report under Section 173(2) Cr.P.C. was presented in the court of learned jurisdictional Magistrate which was committed to the court of Sessions under Section 209 Cr.P.C. The petitioners have been chargesheeted to face

trial under Section 307 IPC etc. by the trial court. Even the statement of complainant – injured has already been recorded in which complainant has fully supported the allegations contained in the FIR. The offence under Section 307 IPC is non-compoundable and in view of the fact that statement of complainant has already been recorded, this Court does not find it a fit case to quash the proceedings on the basis of compromise at this stage. However, the factum of compromise can be brought to the notice of trial court for consideration thereof during the trial.

3. Dismissed.

July 28, 2016

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**(Jaspal Singh)
Judge**

Whether Speaking/ Reasoned:

Yes/ No

Whether Reportable:

Yes/ No