

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No.243

CRM-M-38115-2012

Date of decision : 23.09.2016

AMARJIT SINGH

...PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Ajaivir Singh, Advocate
for the petitioner.

Mr. P.S. Paul, DAG, Punjab.

AJAY TEWARI, J (Oral)

Prayer in the present petition, filed under Section 482 of the Cr.P.C, is for quashing of FIR No.67, dated 09.07.2012 registered under Sections 353, 506, 148, 149 of the IPC, at Police Stations Nihalsinghwala, District Moga on the basis of a compromise, arrived at between the parties.

On 28.03.2016, the following order was passed:

"Learned State counsel has opposed the prayer for quashing of the FIR on the ground of compromise.

In view of the law laid down in Amrik Singh and other v. State of Punjab and another, 2016 (1) RCR (Criminal) 630, learned counsel for the petitioner is

directed to address the arguments on 27.05.2016

Learned counsel for the petitioner has argued that judgement of ***Amrik Singh and other v. State of Punjab and another, 2016 (1) RCR (Criminal) 630*** would not applicable to the present case because in that case the police officer on duty was beaten and his uniform was torn while in the present case, the complainant could not said to be on duty because he was present as delinquent employee in a domestic enquiry. Resultantly, the aforementioned judgment would not applicable to the present case.

Consequently, the present petition is allowed and FIR No.67, dated 09.07.2012 registered under Sections 353, 506, 148, 149 of the IPC, at Police Stations Nihalsinghwala, District Moga and all subsequent proceedings, emanating therefrom, are quashed.

September 23, 2016
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No