

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

CRM No.M-35743 of 2016 (O&M)

Date of Decision:- October 06, 2016

Joginder Kumar alias Deepu and another

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Ravinder Singh, Advocate
for the petitioners.

INDERJIT SINGH, J.

The petitioners have filed this petition under Section 482 Cr.P.C. against respondents State of Punjab and Smt.Poolan Devi, for quashing of FIR No.70 dated 05.10.2010 under Section 306 and 34 IPC registered at Police Station Hajipur, District Hoshiarpur and all consequent proceedings arising therefrom, on the basis of compromise dated 09.04.2014 arrived at between the parties.

I have heard learned counsel for the petitioners and have gone through the record.

From the record, I find that the FIR in this case has been registered in the year 2010 under Section 306 and 34 IPC regarding the suicide committed by one Raj Kumar.

Keeping in view the nature and gravity of the offence, I do not

find it a fit case where the FIR can be quashed on the basis of the

compromise. In *Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543*, it is also held by the Hon'ble Supreme Court that in the serious offences like murder, rape, dacoity etc. the FIR cannot be quashed on the basis of compromise. Even, the Hon'ble Division Bench of this Court in *Baldev Singh v. State of Punjab and another, Criminal Misc. No.M-40769 of 2014, decided on 2.6.2016*, has held that there can be no quashing of offence under Section 304-A IPC and subsequent proceedings solely on the basis of compromise arrived at between legal heirs/representatives of the victim (deceased) and the accused.

In view of the above discussion, I do not find any ground to quash the FIR on the basis of the compromise. Therefore, finding no merit in the present petition, the same is dismissed.

October 06, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No