

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-18881 of 2016

.....

Date of decision:28.9.2017

Karan Kataria

...Petitioner

v.

State of Punjab and another

...Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Parvesh Sachdeva, Advocate for the petitioner.

Mr. A.P.S. Gill, Deputy Advocate General, Punjab for the respondent-State.

Mr. Lajpat Sharma, Advocate for the complainant-respondent No.2.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for the quashing of FIR No.108 dated 24.5.2014 (Annexure-P.1) registered for the offences under Sections 279, 337, 338, 427 IPC and (Section 304-A IPC, which was added later on) at Police Station Sadar Fazilka, District Fazilka and all subsequent proceedings arising therefrom on the basis of compromise (Annexure-P.3).

Notice of motion has been issued in this case.

Mr. A.P.S. Gill, learned Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and Mr. Lajpat Sharma,

[2]

learned Advocate has appeared for the complainant-respondent No.2 and contested this petition.

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

In view of the judgment passed by a 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, in which it has been 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, I find no merit in this petition and the same is dismissed.

September 28, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No