

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-19663 of 2017

Date of decision: 27.11.2017

Balwinder Singh

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Yogesh Goel, Advocate
for the petitioner.

Mr. C.L. Pawar, Sr. D.A.G., Punjab.

None for respondent no. 2.

SURINDER GUPTA, J.(Oral)

The petitioners have filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.72 dated 21.04.2007 (Annexure P-1), registered for offences punishable under Sections 420/467/468/471 of Indian Penal Code (for short 'IPC') at Police Station Sahnewal, District Ludhiana, along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexures P-2 and P-3).

As per case of the prosecution, the petitioner had used number plate (PB-10-BQ-7577) of the vehicle of complainant-Buta Singh on his vehicle.

Learned counsel for the petitioners submits that the matter has since been settled vide compromise/affidavit, copies of which have been placed on file as Annexures P-2 and P-3.

Learned State counsel has also not disputed

compromise/affidavit (Annexures P-2 and P-3).

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 06.07.2017 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any undue influence and coercion.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

For the reasons as discussed above, the instant petition is allowed and the impugned FIR No. 72 dated 21.04.2007 (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

November 27, 2017

jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No