

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.30388 of 2017
Date of Decision.30.10.2017

Baltej Singh @ Teji

.....Petitioner

Vs

State of Punjab and another

.....Respondents

Present: Mr. Raman Goklaney, Advocate
for the petitioner.

Mr. Bhupinder Beniwal, AAG, Punjab.

Mr. Rahul Arora, Advocate
for respondent No.2.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

-.-

AMIT RAWAL J.(ORAL)

The present petition has been filed for quashing of F.I.R. No.54 dated 05.08.2016 under Sections 304A, 279, 337, 427 IPC registered at Police Station Arniwala, District Fazilka along with conviction order dated 10.05.2017 (Annexure P-2) and all subsequent proceedings arising therefrom on the basis of compromise dated 05.08.2017 (Annexure P-4 and P-5).

This Court vide order dated 21.08.2017 had directed the parties to appear before the Appellate Court to get their statements recorded and the Appellate Court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned District and Sessions Judge, Fazilka and got their statements recorded. On the basis of the statements so recorded, learned District and Sessions Judge, Fazilka has submitted his report dated 21.09.2017 to the

effect that the parties have arrived at a volunteer compromise.

Learned counsel for the petitioner submits that the FIR can be quashed even at the stage of appeal. In support of his contention, relies upon the judgment of Division Bench of this Court rendered in **Sube Singh and another Vs. State of Haryana and another 2013(4) RCR (Criminal) 102.**

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

Since the factum of compromise has also been endorsed by the complainant before the Court below, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Resultantly, this petition is allowed and F.I.R. No.54 dated 05.08.2016 under Sections 304A, 279, 337, 427 IPC registered at Police Station Arniwala, District Fazilka along with conviction order dated 10.05.2017 (Annexure P-2) and all subsequent proceedings arising therefrom are quashed on the basis of compromise dated 05.08.2017 (Annexure P-4 and P-5).

(AMIT RAWAL)
JUDGE

October 30, 2017

Pankaj*

Whether reasoned/speaking Yes

Whether reportable No