

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

Crl. Misc. No. M-30923 of 2017 (O&M)

Date of decision: September 19, 2017

Tejinder Singh @ Kala and others

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Dhirinder Chopra, Advocate
for the petitioners.

Mr. Luvinder Sofat, A.A.G. Punjab.

Mr. B.S.Saini, Advocate
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. 71 dated 13.05.2017 (Annexure P-4) registered for offences punishable under Sections 392, 452, 120-B, 148 read with Section 149 of Indian Penal Code (for short 'IPC') at Police Station City South, District Moga, along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-5).

The complainant in her statement before the police is alleged that the petitioners entered her house and took away her gold chain, cash and other articles.

Learned counsel for the petitioners submits that vide compromise, copy of which has been placed on file as Annexure P-5, the matter has been amicably settled.

Learned State counsel on instructions from ASI Sukhdev Singh submits that the factum of compromise between the parties has been duly verified. He further submits that police has also added in this case offences punishable under Sections 323 and 324 IPC.

Learned counsel for the complainant also endorses the submissions of learned counsel for the petitioners and learned State counsel. The complainant has deposed to the police that she has compromised the matter and the possession of the house has been handed over to the petitioners.

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 impugned FIR No.71 dated 13.05.2017 (Annexure P-4) registered for offences punishable under Sections 392, 452, 120-B, 148 read with Section 149 IPC (Sections 323, 324 IPC added later on) at Police Station City South, District Moga along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

September 19, 2017

Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No