

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-3180-2017

Date of decision: 24.04.2017

Onkar Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rahul Bhargava, Advocate
for the petitioner.

Ms. Shivali, AAG, Punjab.

Mr. Ruhani Chadha, Advocate
for respondent no. 3.

SURINDER GUPTA, J.(Oral)

Petitioner has filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No. 3 dated 03.01.2012 (Annexure P-1) along with all consequential proceedings arising therefrom, registered for offences punishable under Sections 279, 337 and 338 Indian Penal Code (for short 'IPC') at Police Station Bhindi Saidan, Amritsar Rural, on the basis of the compromise (Annexure P-2).

The FIR in question was registered for causing injuries to respondent no. 3-Satnam Singh due to rash and negligent driving of motorcycle by the petitioner.

Learned counsel for the petitioner submits that the matter has since been settled vide compromise, copy of which has been placed on file as Annexure P-2.

Learned counsel for respondent No. 3-complainant endorsed the submission of learned counsel for the petitioner and has no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed compromise (Annexure P-2).

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. Trial court has sent its report dated 23.03.2017 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any coercion or undue influence.

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. 3 dated 03.01.2012 (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

April 24, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No