

CRM No. M-32777 of 2017

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No. M-32777 of 2017
Date of Decision : 06.11.2017

Jarnail Singh

...Petitioner

versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Ms. Monika Madan, Advocate for the petitioner.

Mr. Sandeep Virmani, Addl. Advocate General, Punjab.

Mr. Rakesh Kumar, Advocate for respondent No. 2.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking quashing of FIR No. 140 dated 20.05.2017 under Sections 3 and 4 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Kapurthala, District Kapurthala, on the basis of compromise dated 18.08.2017 (Annexure P-2), arrived at between the parties.

Learned counsel for the petitioner contends that the allegations in the FIR prima facie do not constitute an offence under Section 3 & 4 of the SC/ST Act. Moreover, with the intervention of respectables, the matter has now been compromised. She has relied upon a judgment of this Court in the case of *Chander Mohan alias Bunti Vs. State of Haryana and others*, 2011(5) RCR(Criminal) 233.

This Court vide order dated 28.09.2017 had directed the parties to appear before the trial Court/Illaq Magistrate for recording their statements with regard to the genuineness of compromise. The report of Chief Judicial Magistrate, Kapurthala dated 05.09.2017 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded, which indicates that they have entered into compromise voluntarily and without any undue influence or coercion.

The FIR is an outcome of misunderstanding between the parties. The matter has now been compromised and the parties want to live in peace and harmony.

In view of the law laid down in "*Narinder Singh Vs. State of Punjab*" 2014 (6) SCC 466, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No. 140 dated 20.05.2017 under Sections 3 and 4 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Kapurthala, District Kapurthala and all consequential proceedings arising therefrom, are hereby quashed qua the petitioner only.

(ANUPINDER SINGH GREWAL)
JUDGE

November 06, 2017
kanchan

<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>No</i>