

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

**CRM NO. M-34473 OF 2017
DECIDED ON : 21.11.2017**

Kapil Singla and another

...Petitioners

versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. B. S. Bhalla, Advocate,
for the petitioners.

Mr. Kanisth Ganeriwala, AAG, Punjab.

Mr. Shivender Pal, Advocate,
for respondent No.2.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking quashing of FIR No.129 dated 14.05.2017 under Section 306/34 IPC registered at Police Station GRP Ludhiana, District Ludhiana (Annexure P-6), on the basis of compromise.

Learned counsel for the petitioners contends that allegations in the FIR, which has been lodged by the brother of deceased/respondent No.2, are that the deceased had committed suicide as earlier he was injured in an accident while in the employment of the petitioner and his arms were amputated. Learned counsel, however, contends that the deceased had met with an accident on 06.04.2016 and he had been duly compensated by the petitioners as well as by the Employees

State Insurance Corporation. He further contends that respondent No.2 had earlier also lodged an FIR after the accident in which his brother (deceased) was injured, which was quashed by a co-ordinate Bench of this Court in CRM No. M-24127 of 2017, on the basis of compromise. He contends that in the light of afore mentioned facts and circumstances, offence under Section 306 IPC is *prima-facie* not made out in the instant FIR.

Learned counsel has also placed reliance upon a judgment of co-ordinate Bench of this Court in **CRM No. M-13349 of 2017** titled as, "**Sabita Rani and others v. State of Haryana and another**", decided on 18.05.2017, wherein FIR under Section 306 IPC was quashed on the basis of compromise.

This Court by the order dated 15.09.2017 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements with regard to veracity of the compromise. The Additional Judicial Magistrate Ist Class, Ludhiana, has sent his report dated 28.09.2017, wherein it is stated that in pursuance to the order of this Court, statements of the parties were recorded. As per the statements, compromise has been effected without any fear or undue influence.

In view of the submissions of learned counsel for the petitioners and 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 129 dated 14.05.2017 under Section 306/34

IPC registered at Police Station GRP Ludhiana, District Ludhiana
and all consequential proceedings arising therefrom, are hereby
quashed qua the petitioners only.

(ANUPINDER SINGH GREWAL)
JUDGE

NOVEMBER 21, 2017
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Whether speaking/reasoned	:	Yes	/	No
Whether reportable	:	Yes	/	No