

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

Crl. Misc. No. M-37415 of 2016 (O&M)

Date of decision: January 16 , 2017

Pardeep Singh and another

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. J.S. Moudgill, Advocate
for the petitioners.

Mr. Ashish Sanghi, D.A.G., Punjab.

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.22 dated 29.03.2013 (Annexure P-1), registered for offences punishable under Sections 323, 341, 506 read with Section 34 of Indian Penal Code (for short 'IPC') (Section 325 IPC added later on) at Police Station Dharamgarh, District Sangrur along with all consequential proceedings arising therefrom, on the basis of the compromise dated 24.09.2016 (Annexure P-2).

As per case of the prosecution, on 28.03.2013, complainant Rinku Singh was wrongly restrained by the petitioners, who in furtherance of their common intention, caused simple as well as grievous hurt to complainant and his brother and also criminally intimidated them.

Mr. Ashish Sanghi, Deputy Advocate General, Punjab has put in appearance on behalf of respondent No.1-State and Mr. Sukhmeet Singh, Advocate has put in appearance on behalf of respondents No.2 and 3.

I have heard learned counsel for the parties and perused the case file.

The parties were directed to appear before the trial court and get

their statements recorded. The trial court has sent its report dated 29.11.2016 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary with free consent.

Learned counsel for the respondents No.2 and 3 has submitted that in view of the compromise (Annexure P-2), the private respondents (complainant and injured) have no objection if the impugned FIR (Annexure P-1) is quashed. Learned State counsel has also not disputed compromise (Annexure P-2).

In the instant case, the compromise has been effected and the parties wish to live in peace and harmony.

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.

In view of the above discussion, the instant petition is allowed and the impugned FIR (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

(SURINDER GUPTA)
JUDGE

January 16 , 2017

Sachin M.

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No