

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-37113 of 2015

.....

Date of decision:21.2.2017

Narinder Singh

...Petitioner

v.

State of Punjab and others

...Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Munish Puri, Advocate for the petitioner.

Mr. V.P.S. Sidhu, Assistant Advocate General, Punjab
for the respondent-State.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for the quashing of FIR No.56 dated 17.7.2009 (Annexure-P.1) registered for the offences under Sections 304-A, 337, 338, 279, 201 and 427 IPC (charged under Sections 304-A, 338 and 279 IPC only) at Police Station Division No.1, Pathankot, District Gurdaspur and the proceedings pending before the appellate Court, as well as setting aside the conviction order dated 21.11.2014 (Annexure-P.2) passed by learned Additional Chief Judicial Magistrate, Pathankot, whereby the petitioner was convicted under Sections 304-A and 279 IPC and all other consequential proceedings arising therefrom on the basis of compromise.

[2]

Notice of motion has been issued in this case.

Mr. V.P.S.Sidhu, learned Assistant Advocate General, Punjab, has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

In view of the judgment passed by a Division Bench of this Court in Baldev Singh v. State of Punjab and another, Criminal Misc. No.M-40769 of 2014, decided on 2.6.2016, in which it has been held that there can be no quashing of offence under Section 304-A IPC and subsequent proceedings solely on the basis of compromise arrived at between legal heirs/representatives of the victim (deceased) and the accused, I find no merit in this petition and the same is dismissed.

February 21, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No