

In the High Court of Punjab and Haryana at Chandigarh

CRM No.M-38502 of 2017 (O&M)

Date of Decision:-December 8, 2017

Ashima

.....Petitioner

Versus

State of Punjab and others

.....Respondents

Coram: Hon'ble Mr. Justice Gurvinder Singh Gill

Present : Mr. Jatinderpal Singh, Advocate, for the petitioner.

Ms. Ambika Sood, DAG, Punjab.

Mr. Prabhjot Singh, Advocate,
for respondent No.2.

Gurvinder Singh Gill J. (Oral)

1. The petitioner seeks quashing of FIR No.76 dated 2.4.2017 under Sections 279/337/338/427 IPC lodged at Police Station Sadar Jalandhar on the basis of compromise.
2. The allegations, as per FIR are that on 26.3.2017, when the complainant Davinderjit Singh along with his friend Gurpreet Singh were going on motorcycle then a car driven by the petitioner in a rash and negligent manner hit against their motorcycle and as a result of which the complainant Davinderjit Singh and Gurpreet Singh sustained injuries resulting in lodging of the present FIR.
3. Subsequently, the matter is stated to have been compromised. Vide order dated 13.11.2017 passed by a co-ordinate Bench of this Court the parties were

directed to appear before Illaqa Magistrate on 17.11.2017 and get their statements recorded as regards genuineness of compromise. Report of Additional Chief Judicial Magistrate, Jalandhar has been received wherein on the basis of statements recorded before the Illaqa Magistrate, it has been opined that the compromise effected between the parties is without any undue influence or coercion. The said report is accompanied by the statements of the injured Davinderjit Singh (complainant), Gurpreet Singh and also of Sukhwinder Singh, father of Gurpreet Singh, as he was a minor. The statement of the petitioner has also been recorded by the Illaqa Magistrate.

4. In view of the aforesaid statements and the report of the Illaqa Magistrate, I am satisfied that the matter has been settled amicably amongst the parties. No purpose would be served by continuing further proceedings against the petitioner. Accordingly, the FIR and all its consequential proceedings are quashed.
5. The petition stands accepted.

December 8, 2017
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(Gurvinder Singh Gill)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No