

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

CRM-M-39929-2016 (O&M)

Date of decision: February 27, 2017

Janak Singh and another

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.P.K.S.Phoolka, Advocate
for the petitioners.

Mr.Ashish Sanghi, DAG, 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.136 dated 24.9.2016 (Annexure P-1), registered for offences punishable under Sections 295, 323, 34 Indian Penal Code (for short 'IPC') at Police Station Nehianwala, Bathinda, along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

As per case of the prosecution, FIR was registered on the statement of Malkit Singh son of Nand Singh wherein he has levelled allegations that the petitioners gave slaps/beatings to him and had also removed his turban.

In order to verify veracity and genuineness of compromise

Annexure P-2, parties were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 19.1.2017 stating therein that the compromise effected between the complainant and the accused is voluntary in nature and without any pressure or influence.

Learned State counsel has also not disputed compromise (Annexure P-2).

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.

For the reasons as discussed above, the instant petition is allowed and the impugned FIR No.136 dated 24.9.2016 under Sections 295, 323, 34 IPC, PS Nehianwala, Bathinda (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

February 27, 2017

Paritosh Kumar

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No