

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

CRM-M-42243-2015 (O&M)

Date of decision: 10.08.2017

Gurjant Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Kirat Singh Sidhu, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

This petition under Section 482 of the Code of Criminal Procedure has been filed for quashing of FIR No.140 dated 07.12.2010 (Annexure P-1) registered under Sections 323, 324 (Section 326 IPC added later on) of the Indian Penal Code (for short 'the IPC'), at Police Station Nihal Singh Wala, District Moga and all consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2) arrived at between the parties.

Vide order dated 04.03.2016, the parties were directed to appear before the trial Court for recording of their statements.

The trial Court has submitted a report dated 21.03.2016 that the complainant-Gurinder Singh, who has registered the FIR, has since died and respondent No.2-Kulwant Singh does not appear to be the legal heir of deceased/complainant-Gurinder Singh. Therefore, the trial Court has submitted a report to the effect that it cannot be held that the matter has been settled between the parties.

In view of the report submitted by the trial Court, this petition is dismissed. However, it will be open for the petitioner to file any fresh petition on the basis of compromise if parties still acknowledge the compromise.

(ARVIND SINGH SANGWAN)
JUDGE

10.08.2017
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No