

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-4833 of 2016 (O&M)

Date of decision: 02.02.2017

Satwant Singh and others

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sandeep Sharma, Advocate
for Mr. Veneet Sharma, Advocate
for the petitioners.

Mr. Ashish Sanghi, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

Petitioner has filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No. 95 dated 21.07.2015 (Annexure P-1), registered for offences punishable under Sections 341, 295, 279, 323, 506, 148 read with Section 149 of Indian Penal Code (for short 'IPC') at Police Station B-Division, Amritsar City, District Amritsar, along with all consequential proceedings arising therefrom, on the basis of the compromise dated 25.01.2016 (Annexure P-2).

Heard.

As per case of prosecution, incident took place on 21.07.2015. Complainant, who was driver on bus bearing no. PB-02-CC-4957, lodged a complaint alleging therein that his bus was hit by Alto car bearing registration no. PB-08-BL-6605 and when he stopped the bus, 4-5 persons including petitioners came out and manhandled him.

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

The parties were directed to appear before the trial court to produce the compromise and get their statements recorded. The trial court has sent its report dated 06.09.2016 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any pressure, duress, inducement and threat.

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

Keeping all the above facts in view, I am of the considered opinion that in view of compromise between petitioners and respondents no. 2 and 3, 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 No. 95 dated 21.07.2015 (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

February 02, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No