

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-8487 of 2015

Date of decision: 09.03.2017

Vikram Singh @ Bikar Singh & ors.

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. B.K. Chaudhary, Advocate
for the petitioner.

Mr. Jashanpreet Singh, AAG, Punjab.

Mr. Pankaj Bali, Advocate
for respondent no. 2.

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. 204 dated 19.09.2013 (Annexure P-1), registered for offences punishable under Sections 307, 452, 323, 506, 148 read with Section 149 of Indian Penal Code (for short 'IPC') at Police Station City Khanna, along with all consequential proceedings arising therefrom, on the basis of compromise dated 04.03.2015 (Annexure P-3).

As per case of the prosecution, on 19.09.2013 complainant alongwith his friend Toni son of Bhupinder Singh was going to a cloth shop on foot and when they reached in front of Ravidas Mandir, Peer Khaana Road, Khanna at 03.30 p.m., petitioners alongwith other unknown 10 to 12 persons were standing there and on seeing them petitioner no. 1-Vikram Singh @ Bikar Singh raised a *lalkara* and exhorted his companions to teach complainant a lesson for supporting the group of Mohinder Pal Jassal and

Satpal Jassal over the issue of presidentship of Shri Guru Ravidas Mandir. Petitioners and others caught and gave beatings to respondent no. 2-complainant, who rescued himself by raising hue and cry and complainant went to his house. After sometime, petitioners alongwith other accused armed with base ball bats, sticks and *dangs* etc. entered the house of complainant. Petitioner no. 1-Vikram Singh @ Bikar Singh tried to hit on head of the complainant with a *dang*, but he saved the blow by moving his head to other side. Petitioner no. 1-Vikram Singh @ Bikar Singh hit on right shoulder of respondent no. 2-complainant and other accused started giving slaps and fist blows and pulled his hairs.

Learned counsel for petitioners submits that the matter has since been settled vide compromise dated 04.03.2015, copy of which has been placed on file as Annexure P-3.

Learned counsel for respondent No.2-complainant has submitted that in view of the compromise (Annexure P-3), the private respondent (complainant) has no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed compromise (Annexure P-3).

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 08.01.2016 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any threat or undue influence.

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. 204 dated 19.09.2013 (Annexure P-1), registered for offences punishable under Sections 307, 452, 323, 506, 148 read with Section 149 IPC at Police Station City Khanna along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

March 09, 2017

jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No