

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-5956-2017

Date of decision : 19.04.2017

Narinder Singh @ Boota

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Mohd.Yousaf, Advocate
for the petitioner.

Mr.Sidakmeet Singh Sandhu, AAG, Punjab.

Mr.Parvej Akhtar, Advocate
for respondent no.2.

AMOL RATTAN SINGH, J.(ORAL)

By this petition, FIR No.191 dated 28.12.2016, registered against the petitioner at Police Station Goraya, District Jalandhar, for the alleged commission of offences punishable under Sections 307, 506, 509 IPC, is sought to be quashed, on the basis of a compromise arrived at between the petitioner-accused and respondents no. 2 & 3, i.e. the complainant and injured.

Vide an order of this Court dated 21.02.2017, the parties were directed to appear before the learned Area Magistrate, to get their statements recorded, in terms of the compromise.

Pursuant to the order dated 21.02.2017, a report of the Judicial Magistrate Ist Class, Phillaur, has been received, to the effect that the statement of complainant Tehal Singh, respondent no.2, as also that of

Gurmukh Singh, respondent no.3, have been recorded before that Court to the effect that the matter has been compromised by them with the petitioner, Narinder Singh @ Boota and that they have no wish to pursue criminal proceedings.

Similarly, the statement of the petitioner, i.e accused Narinder Singh @ Boota is also stated to have been recorded before the learned JMJC.

As per the report of that Court, the compromise between the parties appears to be genuine, voluntary and without any coercion or undue influence. It has also been stated by the learned Magistrate that there is no other person involved in the occurrence.

Though the offences made out in the FIR registered against the petitioner, i.e. FIR no.191 dated 28.12.2016 (registered at Police Station Goraya, District Jalandhar), are seen to be punishable under Sections 307, 506, 509 IPC, as already noticed in the order dated 21.02.2017, as per the contention of learned counsel for the petitioner, actually it was a road side accident but an offence punishable under Section 307 IPC was made out because immediately prior to the occurrence, a quarrel had taken place after which the complainant was injured, upon the car driven by the petitioner hitting him, allegedly while speeding away from the spot.

Keeping in view the aforesaid circumstances, and the fact that the matter has been compromised between the parties and the chances of the occurrence actually being a case of an accident, in which the aforesaid Gurmukh Singh was injured without any deliberate intention to run him over, I see no purpose in continuing criminal proceedings.

Therefore, in order to further the purpose of peace and

harmony, FIR no.191, dated 28.12.2016, registered at Police Station Goraya, District Jalandhar, for the alleged commission of offences punishable under Sections 307, 506, 509 IPC, is hereby quashed, alongwith all proceedings arising therefrom.

(AMOL RATTAN SINGH)
JUDGE

April 19, 2017.
Davinder Kumar

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