

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-913 of 2017(O&M)

Date of Decision : 24.07.2017

Gurnam Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vikas Gupta, Advocate for the petitioners.

Ms. Seena Mand, Deputy Advocate General, Punjab.

Mr. Bhavesh Aggarwal, Advocate for

Mr. Dilpreet S. Gandhi, Advocate for respondent No. 2.

Anupinder Singh Grewal, J.(Oral)

The petitioners are seeking quashing of FIR No. 60, dated 30.08.2016, under Sections 365, 511 IPC, registered at Police Station Khalra, District Tarn Taran, on the basis of compromise dated 12.09.2016 (Annexure P-2), which has been arrived at between the parties.

Learned counsel for the petitioners contends that the allegations against the petitioners in the FIR are that they tried to forcibly take the complainant on motorcycle but when he raised alarm, the petitioners fled away. Learned counsel further contends that petitioners had been named due to misunderstanding between the parties, which has now been resolved.

Learned counsel for respondent No. 2 states that the matter has indeed been compromised between the parties.

A coordinate Bench of this Court vide order dated 30.03.2017

had directed the parties to appear before the trial Court to record the statements of the parties with regard to genuineness of the compromise and send a report to this Court. The report of the Judicial Magistrate Ist Class, Patti, dated 01.06.2017, has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded, which indicates that the compromise is genuine, without any coercion or undue influence.

The afore-noted FIR is the outcome of misunderstanding and the allegations against the petitioners are that they have tried to forcibly take the complainant on their motorcycle. The parties have settled the matter and want to live peacefully.

In view the mandate of the Hon'ble Supreme Court in the case of *Narinder Singh and others Vs. State of Punjab and another, (2014) 6 SCC 466*, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No. 60, dated 30.08.2016, under Sections 365, 511 IPC, registered at Police Station Khalra, District Tarn Taran and all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

(ANUPINDER SINGH GREWAL)
JUDGE

July 24, 2017
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Whether speaking/reasoned? Yes

Whether reportable? No