

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-10689 of 2018

Date of decision: 20.07.2018

Jasvir Singh and others

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Davinder Kumar, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. P.K.S. Phoolka, 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.161 dated 18.11.2016 (Annexure P-1), registered for offences punishable under Sections 341/324/323/34 Indian Penal Code (for short 'IPC') and 25/27 of the Arms Act, at Police Station Nehianwala, District Bathinda along with all consequential proceedings arising therefrom, on the basis of compromise/affidavit dated 02.05.2017 (Annexure P-2).

FIR in this case was registered on the statement of complainant-respondent no. 2, wherein he has stated that on the day of occurrence, petitioners came on tractor and caused him injuries. However, no firearm injury was caused to complainant.

Learned counsel for the petitioners submits that the matter has since been settled vide compromise/affidavit, copy of which has been placed on file as Annexure P-2.

Learned counsel for respondent No.2-complainant has

submitted that in view of the compromise/affidavit (Annexure P-2), respondent no. 2 (complainant) has no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed compromise/affidavit (Annexure P-2).

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 11.04.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be genuine, voluntary and without any fear, coercion 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 impugned FIR No.161 dated 18.11.2016 (Annexure P-1) registered at Police Station Nehianwala, District Bathinda along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

July 20, 2018

jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No