

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-10741-2018

Date of Decision:14.03.2018

Amritpal Singh @ Rinku

.....Petitioner

Vs.

State of Punjab and others

....Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.Paramjit Singh Brar, Advocate,
for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab.

Mr.Gurinder Singh, Advocate,
for respondents no. 2 to 4.

AMOL RATTAN SINGH, J. (Oral)

Though by this petition the petitioner seeks quashing of FIR No.0006 dated 20.02.2016, registered against him at Police Station Sadiq, District Faridkot, for the commission of offences punishable under Sections 304-A, 279, 427, 337 IPC, on the basis of a compromise reached with the complainant, the petitioner already having been convicted by the trial Court and he having filed an appeal against the judgement of conviction before the appellate Court; however, in view of the judgement of the Division Bench of this Court in '**Baldev Singh Vs. State of Punjab**' 2016(3) Law Herald 2020, quashing of an FIR on the basis of a compromise is not permissible where the allegation is the commission of an offence punishable under Sections 304-A IPC, the victim obviously already having died.

In the aforesaid circumstances, Mr.Brar, learned counsel for the petitioner, submits that the petition may be disposed of with a direction to the appellate Court that if the petitioner is not to be acquitted on merits of the

case, the sentence to be imposed upon him be accordingly kept in mind in view of the compromise reached with the legal heirs of the deceased, i.e. his wife and two sons.

Mr.Brar further submits that as a matter of fact the petitioner has also a very good case on merits.

Without making any comment on the actual merits of the case, which would be gone into by the appellate Court, the petition is consequently disposed of with the observation aforesaid.

March 14, 2018

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned	: YES/NO
Whether Reportable	: YES/NO