

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-11639 of 2018

Date of decision: 12.09.2018

Balwinder Singh and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Gagandeep S. Simble, Advocate
for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

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.01 dated 01.01.2.2013 (Annexure P-1), registered for offences punishable under Sections 452/323/324/506/148/149 of Indian Penal Code (for short 'IPC') at Police Station Civil Line Batala, District Batala, along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-3). (Offence punishable under Section 326 IPC was added later on).

As per case of the prosecution, in the occurrence, which took place on 31.12.2012, petitioners had caused injuries on the person of complainant and his brother, namely, Nirmal Singh.

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

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 04.05.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be genuine, valid, voluntary in nature and without any pressure or coercion.

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. 01 dated 01.01.2013 (Annexure P-1), registered at Police Station Civil Line Batala, District Batala along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

September 12, 2018

jk

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No