

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-13190 of 2018
Date of decision: 01.08.2018

Prince Sondhi and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.Sourabh Arora, Advocate
for Mr. Amit Dhawan, Advocate
for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

Ms. Kanchan, Advocate
for Mr. Abhimanyu Vinayak, Advocate
for respondents no. 2 to 4.

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.39 dated 21.02.2018 (Annexure P-1), registered for offences punishable under Sections 452/427/323/506/34 of Indian Penal Code (for short 'IPC') at Police Station Division no. 3, Jalandhar. , along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

Reply by way of affidavit of Assistant Commissioner of Police, North Jalandhar filed by learned State counsel is taken on record.

As per case of the prosecution, the occurrence took place on 18.02.2018, when petitioners had entered the workshop of complainant and damaged the property lying there. They also caused injuries to complainant and his son Rudhermoney.

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-2.

Learned counsel for respondent No.2-complainant has submitted that in view of the compromise (Annexure P-2), the private respondents have no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed compromise (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 27.04.2018 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. 39 dated 21.02.2018 (Annexure P-1), registered at Police Station Division no. 3, Jalandhar along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

August 01, 2018

jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No