

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

CRM-M-1865-2016 (O&M)

Date of Decision:-13.8.2018

Jaswant Singh @ Kaka

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amaninder Preet, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

Ms. Jasleen Chandhok, Advocate for respondents No.2 to 4.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioner seeks quashing of FIR No.71 dated 7.11.2008 registered under Sections 304-A and 279 of Indian Penal Code, 1860 at Police Station Mehal Kalan, District Barnala and also the judgment and order of sentence dated 19.12.2014 passed by learned Additional Chief Judicial Magistrate, Barnala, whereby he has been held guilty for having committed offence punishable under Sections 304-A and 279 of IPC.

The quashing of FIR as well as judgment and order of sentence dated 19.12.2014 is being sought on the ground that the parties have effected a compromise.

Having heard the learned counsel for the petitioner, the petition is disposed of with liberty to the petitioner to place on record the compromise before the learned lower Appellate Court, where the appeal

against judgment and order of sentence dated 19.12.2014 passed by learned Additional Chief Judicial Magistrate, Barnala is pending.

The lower Court, if satisfied, about the authenticity of the compromise, shall take into consideration the aforesaid compromise as a circumstance while considering the quantum of sentence in case it comes to a conclusion that the findings regarding conviction do not warrant any interference.

The petition is disposed of with liberty aforesaid.

13.8.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No