

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

**Crl. Misc. No. M-23658 of 2018 (O&M)
Date of decision: September 20, 2018**

Sunil Kumar Sharma and another

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Simranjeet Singh Sarwara, Advocate
for the petitioners.

Mr. Sandeep Kumar, D.A.G., Punjab.

Mr. Kulwinder Singh, 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.126 dated 03.06.2015 (Annexure P-1), registered for offence punishable under Section 326 read with Section 120-B of Indian Penal Code (for short 'IPC') at Police Station Tanda, District Hoshiarpur along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

As per case of the prosecution, the occurrence took place on 03.06.2015, when some motorcyclists threw acid on the complainant.

However, acid did not touch her as she was in her car. She apprehended that

the attempt had been made to throw acid on her in connivance with her husband Peeyush Arora, nephew Sunil Arora and her ex-husband Manish Kalra.

Learned counsel for the petitioners submits that the police has presented untrace report in this case and 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 endorses the submission of learned counsel for the petitioners and has 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 28.08.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any pressure or 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

Tanda, District Hoshiarpur (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

September 20, 2018
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No