

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-23800 of 2018
Date of decision: 19.07.2018

Rajesh

.. Petitioner

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. G.S. Sandhu, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

Mr. Dinesh Maurya, Advocate
for respondent no. 2.

SURINDER GUPTA, J.(Oral)

The petitioner has filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No. 389 dated 13.05.2018 (Annexure P-1), registered for offences punishable under Sections 279/337/338/427 of Indian Penal Code (for short 'IPC') and Section 185 of Motor Vehicles Act, 1954 at Police Station Civil Lines, Karnal, District Karnal, along with all consequential proceedings arising therefrom, on the basis of compromise/affidavit dated 19.05.2018 (Annexure P-2).

As per case of the prosecution, petitioner, who was driving his car (Maruti) bearing registration no. HR-05M-0748, in a rash and negligent manner, hit cart of respondent no. 2, resulting in injuries on his person.

Learned counsel for the petitioner 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), respondent no. 2 (complainant) 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 05.07.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be genuine, voluntary in nature and without any coercion or undue 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 allowed and the impugned FIR No. 389 dated 13.05.2018 (Annexure P-1) registered at Police Station Civil Lines Karnal, District Karnal along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

July 19, 2018

jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No