

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-24723 of 2018

Date of decision: 24.07.2018

Sahil and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

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

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Kulwinder Singh, Advocate
for Mr. S.P.S. Chakkal, Advocate
for respondents no. 2 and 3.

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.215 dated 13.09.2016 (Annexure P-1), registered for offences punishable under Sections 341/323/324 of Indian Penal Code (for short 'IPC') at Police Station Rama Mandi, District Police Commissionerate, District Jalandhar, along with all consequential proceedings arising therefrom, on the basis of compromise dated 25.04.2018 (Annexure P-2).

As per case of the prosecution, the occurrence took place on 12.09.2016 in which complainant was caused injuries by giving fist and kick blows. His mobile phone was also snatched from him.

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

respondent (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 15.06.2018 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 allowed and the impugned FIR no. 215 dated 13.09.2016 (Annexure P-1) registered at Police Station Rama Mandi, District Police Commissionerate, District Jalandhar along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

July 24, 2018

jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No