

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-2480 of 2018

Date of decision: 17.07.2018

Anoop Rai

.. Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ram Kumar Chauhan, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

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. 20 dated 26.02.2013 (Annexure P-1), registered for offences punishable under Sections 323/324/34 of Indian Penal Code (for short 'IPC') at Police Station Chabbewal, District Hoshiarpur, along with all consequential proceedings arising therefrom, on the basis of compromise dated 21.07.2014(Annexure P-3).

Heard.

Learned counsel for the petitioner submits that as per order dated 22.01.2018, the petitioner has put in appearance before the trial Court and was allowed interim bail.

Keeping in view the fact that petitioner has put in appearance before the trial Court, order dated 22.01.2018 allowing him bail is affirmed.

As per case of the prosecution, the occurrence took place on 25.02.2013, when petitioner was having hot discussion with brother of complainant and when complainant intervened, he was caused injuries with

kirpan by the petitioner.

Learned counsel for the petitioner submits that the matter has since been settled vide compromise dated 21.07.2014, copy of which has been placed on file as Annexure P-3.

Learned State counsel has also not disputed compromise (Annexure P-3).

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 20.03.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be valid/genuine and without any undue influence 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. 20 dated 26.02.2013 (Annexure P-1) registered at Police Station Chabbewal, District Hoshiarpur along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

July 17, 2018

jk

(SURINDER GUPTA)
JUDGE

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