

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

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CRM No.M-26335 of 2017 (O&M)

Date of decision:16.2.2018

Gursewak Singh

... Petitioner

versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Navjot Singh, Advocate,
for the petitioner
Mr.J.S.Walia, Sr.DAG, Punjab
Mr.Ruhani Chadha, Advocate,
for respondents no.2 to 4
...

AMOL RATTAN SINGH, J. (Oral)

Pursuant to the order dated 24.7.2017, the report of the learned S.D.J.M., Malerkotla, is on record, to the effect that the statements of the petitioner (accused), Gursewak Singh, as also of the complainant, Birju Pawar (respondent no.2), and respondent no.3, Anu Pawar (daughter of respondent no.2), were recorded before that Court, with the statements in original, also having been annexed with the report.

As per the said statements, the matter has been compromised between respondents no.2 and 3 and the petitioner, with the said respondents not interested in pursuing any criminal proceedings against the petitioner.

As per the assessment of the learned Magistrate, the compromise appears to be genuine and voluntarily made, without any pressure or coercion.

As regards respondent no.4, Sant Singh (erroneously shown as

Santa Singh in the memo of parties), his affidavit dated 17.6.2016 has been annexed as Annexure P-4 with the petition, a perusal of which shows that he too has compromised the matter with the 'driver of the vehicle', i.e. a Balero vehicle no.PB-10-CJ-7613.

Though he has not appeared before the learned Magistrate to record his statement in terms of the compromise reached, today Mr.Ruhani Chadha, Advocate, who had earlier appeared for respondent no.2, also appears for respondent no.4, Sant Singh, and has filed his power of attorney, which is taken on record. As per learned counsel, the affidavit annexed as Annexure P-4 with the petition is correct and respondent no.4 also has no interest in pursuing any criminal proceedings against the petitioner.

That being so, looking at the nature of allegations in the FIR, arising out of a motor vehicle accident, with no loss of life, I see no purpose in continuing with criminal proceedings against the petitioner.

Consequently, the petition is allowed and FIR No.91 dated 14.6.2016, registered against the petitioner at Police Station City-1, Malerkotla, District Sangrur, alleging therein the commission of offences punishable under Sections 279/337/427 IPC, along with all proceedings emanating therefrom, is hereby quashed.

16.2.2018
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No