

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-27770 of 2016

Date of decision: 04.07.2018

Jangeer Singh and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. R.K. Girdhar, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

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.13 dated 31.01.2009 (Annexure P-1), registered for offences punishable under Sections 441/447/379/506/511/148/149 of Indian Penal Code (for short 'IPC') at Police Station Guruhar Sahai, District Ferozepur, along with all consequential proceedings arising therefrom, on the basis of the compromise/affidavit dated 25.08.2010 (Annexure P-2).

As per case of the prosecution, on 31.01.2009, when complainant alongwith Raj Singh and Ramaj Singh went to his fields, he found petitioners have cut *barseem* and wheat crop from his fields. Petitioner no. 2-Baggu Singh was cultivating land where *barseem* crop had been sown. When complainant objected they attacked them, resulting in injuries to Raj Singh.

Learned counsel for the petitioners submits that the matter has since been settled vide compromise/affidavit dated 25.08.2010, copy of which has been placed on file as Annexure P-2.

Learned State counsel has 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 03.04.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any coercion, undue influence and pressure.

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. 13 dated 31.01.2009 (Annexure P-1) registered at Police Station Guruhar Sahai, District Ferozepur along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

July 04, 2018

jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No