

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-26950 of 2017
Date of decision: 16.07.2018

Achar Singh

.. Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vaibhav Mittal, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Vikas Kumar, Advocate
for respondent no. 2.

SURINDER GUPTA, J.(Oral)

The petitioners has filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.191 dated 22.09.2016 (Annexure P-1), registered for offences punishable under Sections 323/324 of Indian Penal Code (for short 'IPC') at Police Station E-Division, Amritsar, along with all consequential proceedings arising therefrom, on the basis of the compromise dated 29.09.2016 (Annexure P-2).

As per allegations in the FIR, the occurrence took place on 18.09.2016 in which injuries were caused by petitioner to respondent no. 2.

Learned counsel for the petitioner submits that the matter has since been settled vide compromise dated 29.09.2016, 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 28.08.2017 stating therein that the compromise has been effected between the complainant and petitioner which appears to be genuine, voluntary in nature and without any pressure, 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. 191 dated 22.09.2016 (Annexure P-1), registered at Police Station E-Division, Amritsar along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

July 16, 2018

jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No