

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**Crl. Misc. No. M-31184 of 2018 (O&M)
Date of decision: October 29, 2018**

Taranjit Singh and another .. Petitioners

Versus

State of Punjab and another .. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Arjunveer Sharma, Advocate
for the petitioners.

Mr. Sandeep Kumar, D.A.G., Punjab.

Mr. Kushagra Mahajan, Advocate
for respondent No. 2.

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.273 dated 04.12.2006 (Annexure P-1), registered for offences punishable under Sections 452, 323, 506 read with Section 34 of Indian Penal Code (for short 'IPC') at Police Station Shimlapuri, District Ludhiana along with all consequential proceedings arising therefrom, on the basis of the compromise in shape of affidavit (Annexure P-2).

As per case of the prosecution, petitioners entered the house of respondent No. 2 and caused him injuries.

Learned State counsel submits that the offence under Section 452 IPC was deleted in this case and untrace report was filed which was not accepted by the Court.

Learned counsel for the petitioners submits that the matter has since been settled vide compromise in shape of affidavit, copy of which has

been placed on file as Annexure P- 2.

Learned counsel for respondent No.2-complainant endorses the submission of learned counsel for the petitioners and has no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed the 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 26.10.2018 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 FIR No.273 dated 04.12.2006, registered at Police Station Shimlapuri, District Ludhiana (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

(SURINDER GUPTA)
JUDGE

October 29, 2018
Jyoti-II

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