

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-37946-2016

Date of decision : 24.04.2018

Amanpreet Singh and another

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Mohit Jaggi, Advocate
for the petitioners.

Ms.Monika Jalota, DAG, Punjab.

AMOL RATTAN SINGH, J.(ORAL)

By this petition, FIR No.0214 dated 16.10.2016, registered against the petitioners at Police Station City, Kharar, District SAS Nagar, Mohali, alleging therein the commission of offences punishable under Sections 307/34 IPC, is sought to be quashed, on the basis of a compromise arrived at between the petitioners (accused) and respondent no. 2, i.e. the complainant. A copy of the deed of compromise has been annexed as Annexure P-2 with the petition.

Pursuant to the order dated February 15, 2018, the report of the learned Chief Judicial Magistrate, SAS Nagar, Mohali, has been received, to the effect that the statements of the complainant (respondent no.2 herein) as also of the petitioners, have been recorded before that Court in terms of the compromise reached between the parties and as per the assessment of learned CJM, the compromise effected between the parties is of their own

It is further stated that other than the petitioners there is no other person who are accused in the FIR.

Though the offence alleged to have been committed by the petitioners is punishable under Section 307 IPC, as per the FIR (read with Section 34 of the said Code), looking at the nature of injuries as already recorded in the order dated February 15, 2018, in the opinion of this Court no actual offence punishable under Section 307 IPC would eventually be made out even if the petitioners were made to stand the rigor of trial, the wound on the neck of the complainant being 5 cm X 0.5 cm X 0.5 cm and the other wound being on his arm.

Consequently, with the matter having amicably settled between the parties, with hopefully peace and harmony to be maintained hereinafter, the petition is allowed and FIR no.0214 dated 16.10.2016, registered at Police Station City, Kharar, District SAS Nagar, Mohali, alleging therein the commission of offences punishable under Sections 307/34 IPC, along with all proceedings emanating therefrom, is hereby quashed.

(AMOL RATTAN SINGH)
JUDGE

April 24, 2018.
Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No