

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-5160 of 2018

Date of decision: 03.07.2018

Manpreet Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: None 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.89 dated 28.12.2017 (Annexure P-1), registered for offences punishable under Sections 326/323/324/427/506/148/149 Indian Penal Code (for short 'IPC') at Police Station Sarai Amant Khan, District Tarn Taran along with all consequential proceedings arising therefrom, on the basis of the affidavit/compromise (Annexure P-2).

As per allegations in the FIR, on 23.12.2017 at about 10/11 a.m., petitioners armed with weapons came on tractor and started ploughing the passage going to fields of complainant. When complainant tried to stop them, they attacked and caused him injuries.

The matter has since been settled vide affidavit/compromise dated , 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 21.03.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be genuine, voluntary in nature and without any coercion or undue 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 the impugned FIR 89 dated 28.12.2017 (Annexure P-1), registered at Police Station Sarai Amant Khan, District Tarn Taran along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

July 03, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No