

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

Crl. Misc. No. M-5739 of 2018 (O&M)

Date of decision: July 18, 2018

Major Singh and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Manoj Kumar, Advocate for
Mr. Ritesh Pandey, Advocate
for the petitioners.

Ms. Monika Jalota, D.A.G. Punjab.

None 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.37 dated 02.05.2017 (Annexure P-1), registered for offences punishable under Sections 323, 326 read with Section 34 of Indian Penal Code (for short 'IPC') at Police Station Sekhwan, Batala, District Gurdaspur along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

As per case of the prosecution, occurrence took place on 24.04.2017 at about 7.30 p.m. in which petitioners have caused injuries to the complainant Shinder Kaur.

Learned counsel for the petitioners submits that the matter has

since been settled vide compromise, 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 27.03.2018 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 the impugned FIR No.37 dated 02.05.2017 (Annexure P-1), registered for offences punishable under Sections 323, 326 read with Section 34 IPC at Police Station Sekhwan, Batala, District Gurdaspur along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

(SURINDER GUPTA)
JUDGE

July 18, 2018
Sachin M.

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No