

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-659 of 2018

Date of decision: 25.10.2018

Taranjit Singh @ Jinki and others

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Dhawaljeet Datta, Advocate
for Mr. Sumeet Singh, Advocate
for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

Mr. S.S.Goraya, 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.155 dated 24.11.2016 (Annexure P-1), registered for offence punishable under Section 379-B of Indian Penal Code (for short 'IPC') at Police Station Division no. 3, Jalandhar, District Jalandhar, along with all consequential proceedings arising therefrom, on the basis of compromise dated 06.12.2017(Annexure P-2).

Case of prosecution, in brief, is that petitioners caught the complainant and took away ₹8000/- and mobile phone from his pocket after giving him beating.

Learned counsel for petitioners has argued that though FIR has been registered under Section 379-B IPC but it was not a case of snatching. All the petitioners were named in the FIR and the personal dispute between the parties was given the colour of snatching to get registered the FIR under Section 379-B IPC.

Learned counsel for respondent No.2-complainant has submitted

that both the parties are residents of nearby area in Jalandhar. The matter has since been settled between them vide compromise dated 6.12.2017 (Annexure P-2)

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 15.03.2018 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 No.155 dated 24.11.2016 (Annexure P-1), registered for offence punishable under Section 379-B IPC at Police Station Division no. 3, Jalandhar, District Jalandhar, along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

October 25, 2018

jk

(SURINDER GUPTA)
JUDGE

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