

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-8886 of 2018
Date of decision: 28.08.2018

Lovepreet Singh and another .. Petitioners

Versus

State of Punjab and others .. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vikas Gupta, Advocate
for the petitioners.

Mr. Amitoj Singh Dhaliwal, DAG, Punjab.

Mr. Minkal Thatai, Advocate
for respondents no. 2 and 3.

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.120 dated 11.10.2016 (Annexure P-1), registered for offences punishable under Sections 307/34 of Indian Penal Code (for short 'IPC') and 25/27 of Arms Act, at Police Station Bhikhiwind, District Tarn Taran, along with all consequential proceedings arising therefrom, on the basis of compromise dated 20.02.2018 (Annexure P-3). (Offences punishable under Sections 307 IPC was deleted and 336 IPC was added later on).

As per case of the prosecution, complainant alongwith his son was taking the crop after harvesting the same to *Dana Mandi*, when on the way petitioners came in a Fortuner car, stopped their tractor-trolley and fired at them. However, no injury was caused to respondents no. 2 and 3.

Learned counsel for petitioners submits that the matter has since been settled vide compromise, copy of which has been placed on file as Annexure P-3.

Learned counsel for respondents No.2 and 3 has submitted that in view of the compromise (Annexure P-3), private respondents have no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed compromise (Annexure P-3).

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 15.06.2018 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 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. 120 dated 11.10.2016 (Annexure P-1) registered at Police Station Bhikhiwind, District Tarn Taran along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

August 28, 2018

jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No