

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

Crl. Misc. No. M-9303 of 2018 (O&M)

Date of decision: July 18, 2018

Shamsher Singh @ Shera and another

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Arnav Sood, Advocate
for the petitioners.

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

Mr. S.S. Brar, Advocate
for respondents No.2 to 6.

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.13 dated 11.09.2016 (Annexure P-1), registered for offences punishable under Sections 384 and 458 of Indian Penal Code (for short 'IPC') and Section 411 IPC added later on, at Police Station Dhar Kalan, District Pathankot, along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

As per allegations in the FIR, petitioners have entered the house of complainant and looted the golden jewellery and mobile by showing a fake pistol.

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 counsel for respondent No.2 to 6 endorses the

submission of learned counsel for the petitioners and has no objection if the impugned FIR (Annexure P-1) is quashed.

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 02.05.2018 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 coercion.

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.13 dated 11.09.2016 (Annexure P-1), registered for offences punishable under Sections 384 and 458 IPC and Section 411 IPC added later on, at Police Station Dhar Kalan, District Pathankot along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

July 18, 2018

Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No