

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-8940 of 2019
Date of decision: 11.07.2019

Kuldeep Singh

.. Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Umesh Aggarwal, Advocate
for the petitioner.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab.

Mr. Prateek Sodhi, Advocate
for respondent No.2.

SURINDER GUPTA, J.(Oral)

The petitioner has filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.77 dated 24.06.2018 (Annexure P-1), registered for offences punishable under Sections 279, 337, 338 and 427 of Indian Penal Code (for short 'IPC') at Police Station B Division, Amritsar City, along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

As per case of the prosecution, on 19.06.018, complainant was going on his motorcycle, which was hit by motorcycle of petitioner as a result of which he suffered injuries.

Learned counsel for the petitioner 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-complainant has submitted that in view of the compromise (Annexure P-2), respondent no. 2

(complainant) has no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel submits that he has not received the copy of paper-book, which has been supplied to him in Court and after going through the same he submits that he has no objection, if the FIR in question is quashed.

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 07.05.2019 stating therein that the compromise has been effected between the complainant and the accused which appears to be genuine, voluntarily and out of free will of the parties.

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 impugned FIR No.77 dated 24.06.2018 (Annexure P-1), registered for offences punishable under Sections 279, 337, 338 and 427 'IPC' at Police Station B Division, Amritsar City along with all consequential proceedings arising therefrom, qua petitioner, is quashed.

July 11, 2019

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**(SURINDER GUPTA)
JUDGE**

<i>Whether Reportable:</i>	<i>Yes/No</i>
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