

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

**Crl. Misc. No. M- 14248 of 2019 (O&M)
Date of decision: December 20, 2019**

Abhijeet Singh Mand and others

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vinay Puri, Advocate
for the petitioners.

Mr. Amitoj Singh Dhaliwal, D.A.G., Punjab.

Mr. Vikram Singh, 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. 249 dated 10.11.2018 registered for the offences punishable under Sections 365, 148, 149, 506 of Indian Penal Code (for short 'IPC') (Section 323 added later on) at Police Station Dugri, District Police Commissionerate, Ludhiana (Annexure P-1) on the basis of the compromise (Annexure P-2).

As per case of the complainant, he was dragged and picked up by the petitioners from the shop of Sweety garments and taken in a vehicle where he was enquired about Shamsher @ Mohit. The complainant apprised them that he did not know anything about Shamsher @ Mohit as he had no contact with him. They took him near Dugri village in a plot where another

vehicle bearing Registration No. PB-10FR-0513 (Swift Desire) was parked in which Mukal Rajput Dugari Inder (Mahesh Kumar), Simran Singh @ Sabi and some unidentified persons were sitting. The complainant was made to sit in Swift Desire car and was taken to different places in the city in that car and then thrown out with threat that he should not report the matter to the police.

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 State counsel has no objection if the impugned FIR (Annexure P-1) is quashed on the basis of compromise.

Learned counsel for respondent No.2-complainant endorses the submission of learned counsel for the petitioner and has no objection if the impugned FIR 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 01.07.2019 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

large.

For the reasons as discussed above, the instant petition is allowed and FIR No. 249 dated 10.11.2018 registered at Police Station Dugri, District Police Commissionerate, Ludhiana (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioner, is quashed.

December 20, 2019

Jyoti-II

(SURINDER GUPTA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No