

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-308 of 2018

Date of decision: 22.08.2019

Narinder Singh @ Garm and others

.. Petitioners

Versus

State of Punajb and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rishu Mahajan, Advocate
for the petitioners.

Mr. Arpinder Singh Sidhu, DAG, Punjab.

None 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.49 dated 27.06.2016 (Annexure P-1), registered for offences punishable under Sections 326, 323, 324, 148 and 149 of Indian Penal Code (for short 'IPC') at Police Station Maqboolpura, District Amritsar, along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

As per case of the prosecution, complainant-respondent no. 2 was caught by petitioners when he was going with his friend, namely, Sonu on Mehta Road, Amritsar and was caused injuries.

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 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 16.11.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be genuine, voluntarily, with free will and without any coercion and 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.49 dated 27.06.2016 (Annexure P-1), registered for offences punishable under Sections 326, 323, 324, 148, 149 'IPC' at Police Station Maqboolpura, District Amritsar, along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

August 22, 2019

jk

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No