

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-18264 of 2019

Date of decision: 17.07.2019

Shankar and others

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. I.S. Dhillon, Advocate
for the petitioners.

Mr. Arpinder Singh Sidhu, DAG, Punjab.

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.19 dated 08.02.2014 (Annexure P-1), registered for offences punishable under Sections 452, 448, 323, 506 read with Section 34 of Indian Penal Code (for short 'IPC') at Police Station City Malout, District Sri Muktsar Sahib, along with all consequential proceedings arising therefrom, on the basis of compromise dated 18.04.2019 (Annexure P-2).

FIR in this case was got registered by Bhagi Rath against his sons and their wives with regard to dispute of his property. He has alleged that his son Bhoop Singh forcibly entered his house and gave beatings to him.

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 03.06.2019 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any inducement, coercion or pressure.

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.19 dated 08.02.2014 (Annexure P-1), registered for offences punishable under Sections 452, 448, 323, 506 read with Section 34 'IPC' at Police Station City Malout, District Sri Muktsar Sahib along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

July 17, 2019

jk

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No