

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M-23584 of 2019 (O&M)
Date of Decision: August 16, 2019.

Harjit Singh Chhabra and anotherPetitioners

versus

State of Punjab and anotherRespondents

CORAM: HON'BLE MR.JUSTICE ANIL KSHETARPAL.

Present: Mr.Jagga Singh-respondent No.2 in person.
Mr.Bhupinder Beniwal, AAG, Punjab.

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Anil Kshetarpal, J. (Oral)

The prayer in this petition is for quashing of FIR No.35 dated 23.04.2018, registered under Sections 353, 186, 332, 506, 323 & 34 IPC at Police Station Kot Ise Khan, District Moga and all the subsequent proceedings arising therefrom, on the basis of compromise.

Respondent No.2, who is working as Home Guard, has appeared before the Court and has filed an affidavit which is taken on record, admitting the factum of the compromise. As submitted by State counsel, the offences are triable by the Magistrate.

Accordingly, this Court is satisfied that the statement arrived at between the parties is genuine and it would not be appropriate to keep the matter pending. This Court finds support from Kulwinder Singh and others versus State of Punjab and another, 2007(3) RCR (Criminal) 1052, approved by Hon'ble Apex Court in Gian Singh versus State of Punjab and others (2012) 10 SCC 303. Accordingly, FIR No.35 dated 23.04.2018, registered under Sections 353, 186, 332, 506, 323 & 34 IPC at Police Station Kot Ise Khan, District Moga and all the subsequent proceedings

arising therefrom are quashed on the basis of settlement. The S.S.P., District Moga is directed to look into the matter as to whether respondent No.2, who is an employee of the Punjab Police, has correctly entered into the settlement without seeking permission from his superiors.

Resultantly, with the above-said observations made, the instant petition stands disposed of.

August 16, 2019

mohinder

(ANIL KSHETARPAL)

JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No