IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-29373 of 2019
Date of decision: 27.11.2019

Bittu Soni and another .. Petitioners

Versus

State of Punjab and another .. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Pritpal Singh Miglani, Advocate
for the petitioners.

Mr. Avtar Singh Sandhu, Addl. A.G. Punjab.

Mr. J.J.S. Uppal, Advocate
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.77 dated 14.06.2019 (Annexure P-1), registered for offences punishable under Sections 379-B (2), 148 and 149 of Indian Penal Code (for short 'IPC') at Police Station Sadar Ludhiana, District Ludhiana along with all consequential proceedings arising therefrom, on the basis of compromise dated 17.06.2019 (Annexure P-2).

As per case of the prosecution, complainant-Hari Dass Yadav was way laid by the petitioners with his co-accused and they put *dah* on the neck of complainant and snatched cash of ₹2500/- and one mobile phone from him.

Learned counsel for the petitioners submits that parties were known to each other and a quarrel amongst them was presented as case of roadside robbery but the matter has now been amicably settled with intervention of respectable vide compromise, copy of which has been placed on file as Annexure P-2.

Learned counsel for respondent No.2 (complainant) submits

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that in view of the compromise (Annexure P-2), the private respondent (complainant) has no objection if the impugned FIR (Annexure P-1) is quashed.

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 25.11.2019 stating therein that the compromise has been effected between the complainant and the accused which appears to be genuine, voluntary in nature and without any coercion or 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.77 dated 14.06.2019 (Annexure P-1), registered for offences punishable under Sections 379-B (2), 148 and 149 'IPC' at Police Station Sadar Ludhiana, District Ludhiana along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

November 27, 2019 **(SURINDER GUPTA)**
jk **JUDGE**

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

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