

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

284

**CRM-M-33352-2019 (O&M)
Date of Decision: 27.11.2019.**

Surinder Kumar

....Petitioner.

Versus

State of Punjab and another

....Respondents.

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rahul Bhargava, Advocate for the petitioner.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab.

Mr. Ruhani Chadha, Advocate for respondent No.2.

Surinder Gupta, J.

The petitioner has filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.38 dated 21.03.2019, registered for offences punishable under Sections 279, 337, 338 Indian Penal Code (for short 'IPC') at Police Station Division No.4, District Jalandhar City, along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

As per case of the prosecution, complainant Chander Mohan (respondent No.2) was hit by a car bearing No.PB-08BG-8365 which was driven by the petitioner in a very rash and negligent manner and he took the complainant to Civil Hospital for treatment.

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 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.

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 14.10.2019 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 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 along with all consequential proceedings arising therefrom, qua petitioner, is quashed.

(SURINDER GUPTA)
JUDGE

27.11.2019
komal

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