

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39735-2019

Date of Decision: 07.11.2019

Rajiv Goyal and others

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Vivek Suri, Advocate,
for the petitioners.

Mr. B.S. Sewak, Addl. A.G., Punjab.

Mr. Narinder Singh Dharni, Advocate,
for respondent no. 2.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, quashing of FIR No. 297 dated 01.10.2013, is sought, as is registered against the petitioners at Police Station Kotwali, District Patiala, for the alleged commission of offences punishable under Sections 294 and 506 of the IPC, read with Section 34 thereof and Section 66-A of the Information and Technology Act, 2000. Quashing thereof is sought on the basis of a compromise arrived at between the petitioners (accused) and respondent no. 2, i.e. the complainant.

Vide an order of this Court dated 19.09.2019, the parties were directed to appear before the learned trial Court to get their statements recorded, in terms of the compromise.

Pursuant to the aforesaid order, the report of the learned Judicial Magistrate Ist Class, Patiala, dated 01.11.2019, has been sent to this Court, in which it is stated that the complainant-respondent no. 2, Dharminder Goyal, along

with his wife and son, as also the investigation officer (ASI Puran Singh) and all the three petitioners herein suffered their statements before that Court, of their own free will.

As per the complainant, his wife and son, the matter having been compromised between the petitioners, they would have no objection if the FIR itself is quashed. The statements of the petitioners, to the effect that the matter has been compromised between the parties, is also recorded.

The investigating officer is stated to have told the learned Magistrate that no other criminal case has been found to be pending against the petitioners.

Learned State counsel also, on instructions, does not refute the aforesaid contention.

Therefore, with the trial Court also having recorded its opinion that the compromise entered into between the parties seems to be without any coercion or undue influence, in the opinion of this Court it would be pointless to continue with criminal proceedings against the petitioners, the parties having fully compromised the matter of their own free will, especially looking at the nature of the offences alleged to have been committed.

Consequently, the petition is allowed and FIR No. 297, dated 01.10.2013, registered against the petitioners at Police Station Kotwali, District Patiala, for the alleged commission of offences punishable under Sections 294 and 506 of the IPC, read with Section 34 thereof and Section 66-A of the Information and Technology Act, 2000, along with all proceedings emanating therefrom, is hereby quashed.

November 07, 2019

nitin/dinesh

Whether speaking/reasoned

Whether Reportable

(AMOL RATTAN SINGH)

JUDGE

Yes

No.