

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**Crl. Misc. No. M-26429 of 2020
Date of decision : 07.09.2020**

Ajay @ Ajaypal and anr.Petitioners
versus
State of Punjab and anr. ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. K.S. Sidhu, Advocate, for the petitioners.

RITU BAHRI, J. (Oral)

Issue notice of motion.

On asking of the Court, Mr. Hittan Nehra, Addl.A.G, Punjab and Mr. Parminder Singh Mann, Advocate accepts notice on behalf of the respondent-State and respondent No. 2.

Quashing of FIR No. 21 dated 21.01.2020 under Sections 379-B/323/341/14/149 IPC, registered at Police Station City Muktsar, District Sri Muktsar Sahib, is being sought on the basis of compromise (Annexure P-2) arrived at between the parties.

The above mentioned F.I.R was got registered on the complaint made by respondent No. 2 with the allegations that on 20.01.2020 when the complainant was going to his house then Ajay along with one unidentified youth were standing there. They got hold of him from neck and pulled him in the congested street. 4/5 other unidentified youth, who were carrying baseball bats and punches came there and started beating him. The complainant received injuries and raised lalkara. Thereafter, the accused ran away from the spot along with their weapons. The father of the complainant admitted him at Civil Hospital Sri Muktsar Sahib.

However, with the intervention of respectables, the matter has now been duly compromised, on the basis of compromise (Annexure P-2)

Learned State counsel on instructions from SI Davinder Kumar has informed the Court that there is no cross case, no P.O proceedings are pending and no challan has been presented till date. Learned State counsel has further informed the Court that petitioners as well as complainant are minor.

Learned counsel appearing for respondent No. 2 admits the factum of compromise affected between the parties (Annexure P-2).

Keeping in view prevailing COVID-19 situation and the fact that the compromise has been effected between the parties vide compromise deed (Annexure P-2), whereby they have decided to get the F.I.R quashed, it is a fit case where there is no impediment in the way of the Court to exercise its inherent powers under Section 482 Cr.P.C for quashing of F.I.R in the interest of justice. Consequently, in view of the judgment of the Hon'ble Supreme Court in cases of Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429 and the law laid down by the Full Bench of this Court in the case of Kulwinder Singh and Ors. vs. State of Punjab and another 2007(3) RCR (Crl.) 1052, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 21 dated 21.01.2020 under Sections 379-B/323/341/14/149 IPC, registered at Police Station City Muktsar, District Sri Muktsar Sahib is quashed along with all consequential proceedings arising therefrom qua petitioners.

The petition stands disposed of.

07.09.2020
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No