

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

CRM-M-27990-2019 (O&M)

Date of decision: 12.02.2020

Satnam Singh @ Sadhi

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Fatehjeet Singh, Advocate for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

Mr. Nitin Verma, Advocate for respondent No.2.

H.S. MADAAN, J. (Oral)

Satnam Singh @ Sadhi, an accused in FIR No.316 dated 21.11.2012, for offences under Sections 279, 337, 338 and 427 IPC, registered with Police Station City Nakodar, District Jalandhar, faced trial by JMIC, Nakodar on the allegations that on 17.11.2012, at about 2.30 PM in the area near Apex School, Police Station City Nakodar, he drove a Bolero car bearing registration No.PB-08-BN-7999 on a public way in a rash and negligent manner and struck it against complaint Raja Gulzar Singh and his father causing them simple and grievous injuries. On conclusion of trial, vide judgment dated 27.11.2018, he was convicted and sentenced to undergo RI for a period of 06 months under Sections 279 and 337 IPC and to undergo RI for a period of 02 years under Section 338 IPC. Convict was further directed to pay Rs.70,000/- as compensation to the

complainant within 02 months from the date of judgment and in default of payment of compensation, to undergo imprisonment for 03 months. All sentences were ordered to run concurrently.

Against the said judgment of conviction, an appeal filed by the accused/convict is stated to be pending before Sessions Judge, Jalandhar. In the meanwhile, the parties are stated to have entered into compromise, copy of which is annexed as Annexure P-3.

The petitioner has approached this Court by way of filing the instant petition under Section 482 Cr.P.C., seeking quashing of the FIR along with ancillary proceedings.

Considering the facts and circumstances of the case, I do not find it proper and appropriate to quash the FIR as well as the judgment of conviction and sentence passed by the trial Court. However, the petitioner may approach the learned Sessions Judge, Jalandhar, where the appeal against the conviction is pending, with regard to the matter having been compromised between the parties. Learned Sessions Judge, Jalandhar on being satisfied that a legal and valid compromise has been arrived at between the parties may take it into consideration while disposing of the appeal and if he comes to the conclusion that conviction of the accused is to be maintained, on being satisfied with regard to matter having been compromised, he may take a lenient view in the matter with regard to the sentence.

12.02.2020

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(H.S. MADAAN)
JUDGE

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