

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-47395-2019 (O&M)
Date of Decision:-4.2.2020

Rajinder Singh and another ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amandeep Singh Manaise, Advocate for the petitioners.

Mr. Saurav Khurana, Deputy Advocate General, Punjab.

Mr. Gagandeep Singh, Advocate for
Ms. Harkiran Kaur, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

The petitioners have approached this Court seeking quashing of FIR No.137 dated 30.8.2019 registered at Police Station City Gurdaspur, District Gurdaspur under Sections 353 and 186 of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 9.1.2020, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise.

Pursuant to directions issued by this Court statements of the parties have been recorded.

The complainant Satwant Singh has specifically stated that he has compromised the matter out of his free will and without there being any

pressure, coercion or misrepresentation and that he has no objection in case the FIR in question is quashed.

Although in the present case offences under Sections 353 and 186 IPC have also been mentioned in the FIR, but a perusal of the FIR would show that it is infact a dispute between two conductors-one of the Punjab Government Bus and another of a private bus, wherein the conductor of the private bus did not take out his bus despite the fact that the time of departure had already elapsed resulting in some kind of quarrel between the conductor of the said private bus and the conductor of the government bus, who was to park his bus after the private bus was to leave from that place. It would certainly be debatable as to whether any offence under Sections 186 or 353 IPC would be made out.

In any case, since the parties are stated to have amicably resolved their issues and their statements have been recorded to this effect, the petition is accepted especially keeping in view the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.137 dated 30.8.2019 registered at Police Station City Gurdaspur, District Gurdaspur under Sections 353 and 186 of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

4.2.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No