

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

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**CRM-M No.14960 of 2021
Date of Decision: 11.10.2022**

Manoj Kumar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Present:- Mr. H.P. Singh, Advocate for
 Mr. D.S. Malwai, Advocate
 for the petitioner.

 Mr. Digvijay Nagpal, AAG, Punjab
 for respondent No.1-State.

 Mr. Basant Sharma, Advocate
 for respondent No.2.

MEENAKSHI I. MEHTA, J.(ORAL)

By way of the instant petition, the petitioner has invoked the jurisdiction of this Court under Section 482 Cr.P.C for seeking the quashing of the FIR bearing No.0014 dated 24.01.2021 registered at Police Station Phase-1, Mohali, District S.A.S. Nagar, under Sections 279, 338 and 427 IPC, while averring that the parties have arrived at a compromise qua their dispute, leading to the registration of the said FIR.

2. Bereft of unnecessary details, the allegations, as levelled by informant-injured Jaswinder Singh in the subject FIR, are that the

petitioner had driven Toyota Etios Car bearing registration No.HP-78-6815 on the public road in a rash and negligent manner at a very high speed and had, thereby, struck the same against the Ertiga Car bearing registration No. CH-2020(TB) 3268-B, being driven by him (informant) and he had suffered the injuries in this accident.

3. Vide the order dated 20.07.2022 as passed by this Court, the private parties had been directed to appear before learned Illaqa Magistrate/trial Court for recording their statements in respect of the said compromise. In compliance of the afore-said order, learned Chief Judicial Magistrate, S.A.S. Nagar Mohali, recorded their (parties') statements and has submitted her report (which is already available on the file), mentioning therein that the compromise affected between the parties is genuine, voluntary and has been arrived at between them out of their free will and there are only one accused, i.e the petitioner and one complainant-injured, i.e respondent No.2, in the FIR and the petitioner has not been declared proclaimed offender and as per the statement of the Investigating Officer ASI Raj Kumar, no other criminal case is pending against him (petitioner). Separate statements of the petitioner, respondent No.2 as well as of the above-named Investigating Officer, have also been annexed with the said report.

4. I have heard learned counsel for the petitioner as well as learned State counsel and learned counsel for respondent No.2 in the present petition and have also perused the file carefully.

5. The afore-said compromise has been affected to put the

dispute between the parties at rest for all the times to come and the same would promote peaceful, harmonious and cordial relations between them. It being so, there are bleak chances of the conviction of the petitioner and in these circumstances, the continuation of the proceedings in the case arising out of the said FIR, would be an exercise in futility.

6. Keeping in view the above-discussed facts and circumstances and also the observations as made by the Apex Court in **Gian Singh Versus State of Punjab and another (2012) 4 RCR (Criminal) 543**, the FIR bearing No.0014 dated 24.01.2021 registered at Police Station Phase-1, Mohali, District S.A.S. Nagar, under Sections 279, 338 and 427 IPC as well as all the consequential proceedings arising therefrom (if any), are hereby quashed. The petition in hand stands allowed accordingly.

11.10.2022
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(MEENAKSHI I. MEHTA)
JUDGE

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