

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-19223 of 2019

Date of Decision: 26th April, 2022

Jagmeet Singh @ Jagga and another

Petitioners

Versus

State of Punjab and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. A.P. Batra. Advocate for the petitioners.
Mr. Amit Mehta, Senior DAG, Punjab.
Mr. Manu Loona, Advocate for the complainant.

AVNEESH JHINGAN, J (Oral):

This is a petition seeking quashing of FIR No. 23 dated 14.2.2019, under Sections 392, 323 read with Section 34 IPC, registered at Police Station City I, Abohar.

The FIR was registered at the instance of Manoj Kumar. The allegations are that on 11.2.2019 near Guru Nanak Senior Secondary School, Old Fazilka Road, complainant was attacked by two riders of the motor cycle. One of the accused was holding iron kappa, the complainant was threatened to hand over whatever he was possessing otherwise he would not be spared. His mobile was snatched, he was hit by kappa at least four times, resultantly sustained injuries, in the process, the clothes used for covering the face by the driver of the motor cycle was pulled off. The accused fled from the spot.

Learned counsel for the petitioners submits that the matter has been compromised, statements of the parties have been recorded that there is no objection if the FIR is quashed.

Supreme Court in State of Madhya Pradesh v. Laxmi

Narayan and others, 2019 AIR (SC)1296 held as under:

“13. Considering the law on the point and the other decisions of this Court on the point, referred to hereinabove, it is observed and held as under:

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(ii) Such power is not to be exercised in those prosecutions which involved heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. such offences are not private in nature and have a serious impact on society.”

The case in hand is of robbery where the injuries were inflicted with weapon and the complainant was robbed. The offence is of heinous nature and FIR can not be quashed as on the basis of compromise. The robbery has an impact on society.

In view of the law laid down by the Supreme Court, no case is made out for quashing of FIR on the basis of compromise.

The petition is dismissed.

[AVNEESH JHINGAN]
JUDGE

26th April, 2022

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1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No