

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

Sr. No.248

CRM-M-12003-2021

Date of Decision : March 20, 2023

Juman and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Amandeep Sharma, Advocate with
Mr. Amandeep Singh Manaise, Advocate, for the petitioners.
Mr. Gurlal Singh Dhillon, AAG, Punjab.
Mr. Sohrab Dhanda, Advocate, for respondents No.2 & 3.

SUDHIR MITTAL, J. (ORAL)

The present petition has been filed for quashing of FIR No.186, dated 16.10.2020 (Annexure P-1), registered at Police Station Kalanaur, District Gurdaspur, under Sections 307, 325, 323 IPC on the basis of compromise (Annexure P-2).

Parties were directed to get their statements recorded and report of the trial Court has been received, according to which, the compromise is genuine and has been effected without any threat or coercion and that none of the accused has been declared as proclaimed offender.

Learned counsel for the petitioners has submitted that Section 307 IPC is not attracted in this case as it was a case of injury caused due to an accident. The petitioner No.4 was driving the tractor which went out of control resulting in injury to the complainant. The parties have reached an amicable settlement and thus, an FIR deserves to be quashed.

Learned counsel for the complainant side accepts the submission made.

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From the above submission made, it appears that Section 307 IPC has been added only to make the offence serious. In fact, it was a road side accident due to the tractor having been driven rashly/negligently. The parties have settled their dispute and thus, continuing with the criminal proceedings would not be justified.

In view of the above, the petition is allowed and FIR No.186, dated 16.10.2020 (Annexure P-1), registered at Police Station Kalanaur, District Gurdaspur, under Sections 307, 325, 323 IPC along with all consequential proceedings having arisen therefrom, is quashed qua the petitioners.

March 20, 2023
Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No