

CRM-M-13598-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(281)

CRM-M-13598-2023
Date of Decision:- 22.08.2023

Jagmeet Singh

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Manjit Singh Gahlawat, Advocate for
Mr. Krishan Kumar Thakur, Advocate for the petitioner.

Mr. Anup Singh, DAG, Punjab for State-respondent No.1.

Mr. Sanjeev Kumar, Advocate for
Ms. Komal Thakur, Advocate for the respondent No.2.

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0056 dated 19.02.2023, registered for offences under Sections 279 and 427 of the Indian Penal Code, 1860, at Police Station City Moga, District Moga, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 10.03.2023, Annexure P-2, arrived at between the parties.

2. Counsel for the petitioner submits that the FIR is an outcome of a vehicular accident and has been amicably settled between the parties by compromise, Annexure P-2. He submits that the parties as well as the Investigation Officer have appeared before the Trial Court for getting their statements recorded in deference to order passed by this Court.

3. Upon instructions received from ASI, Surjit Singh, State counsel submits that the matter is under investigation.

4. Counsel representing complainant-respondent No.2 submits that he does not have any objection in case the criminal proceedings are set aside.

5. Pursuant to order dated 17.03.2023 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

“I. As per statement of above said ASI Surjeet Singh, there is only accused namely Jagmeet Singh in the FIR no.56 dated 19.02.2023 registered under Sections 279 and 427 of IPC at P.S City, Moga.

II. Challan of above said FIR has not been presented in the court till date.

III. As per statement of above said ASI Surjeet Singh, no accused is declared as proclaimed offender at any stage of trial.

IV. As per statement of above said ASI Surjeet Singh, arrest of accused Jagmeet Singh is still pending.

V. As per statement of parties, the compromise effected between them is voluntarily, without any coercion or undue influence.

VI. Statement of above said ASI Surjeet Singh has been recorded with regards to points no. (i), (ii), (iii) and (iv).”

6. Heard counsel for the parties.
7. In view of the report given by the Trial Court and the judgment of the Supreme Court in *Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543* and a Full Bench of this Court in *Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, this Court is of the view that keeping the criminal proceedings alive would not serve any purpose and setting them aside would enable the parties to lead a harmonious and peaceful life.
8. Accordingly, the petition is allowed. FIR No.0056 dated 19.02.2023, registered for offences under Sections 279 and 427 of the Indian Penal Code, 1860, at Police Station City Moga, District Moga, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioner.

(SUVIR SEHGAL)
JUDGE

22.08.2023
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No