

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(270)

CRM-M-25502-2023
Date of Decision:- 31.08.2023

Roop Singh

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Ms. Tuneet Walia, Advocate for the petitioner.

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

Mr. Arjun Lakhanpal, Advocate
for the respondents No.2 and 3.

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.0253 dated 31.10.2018, registered for offences under Sections 279, 337, 338 and 427 of the Indian Penal Code, 1860, at Police Station Moti Nagar, District Ludhiana, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of settlement/agreement dated 13.04.2023, Annexure P-2, arrived at between the parties.

2. Counsel for the petitioner submits that the FIR, Annexure P-1, is an outcome of a vehicular accident in which the couple-respondents No.2 and 3 received injuries. She submits that the dispute has been amicably settled.

3. Upon instructions, State counsel submits that on conclusion of investigation, final report under Section 173, Cr.P.C. has been presented, but charge has not been framed.

4. Counsel representing complainant and victim, respondents No.2 and 3, does not have any objection in case the prayer made in the petition is acceded to.

5. Pursuant to order dated 18.05.2023 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

“1. In view of statements given by the parties, this Court is of the considered opinion that compromise effected between parties is genuine and it is effected voluntarily, without any pressure, coercion or undue influence from any quarter and out of free will of parties.

2. It is respectfully submitted that as per the statement of Investigating Officer, there is only one accused namely Roop Singh and the accused is not involved in any other case and has not been declared proclaimed person.”

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.0253 dated 31.10.2018, registered for offences under Sections 279, 337, 338 and 427 of the Indian Penal Code, 1860, at Police Station Moti Nagar, District Ludhiana, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioner.

(SUVIR SEHGAL)
JUDGE

31.08.2023
Kamal

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