

CRM-M-25121-2023

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
(271)

CRM-M-25121-2023
Date of Decision:- 12.09.2023

Jagdev Singh

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Gagandeep Jindal, Advocate for
Mr. Rajvir Singh, Advocate for the petitioner.

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

Mr. Ravneet Bains, Advocate for
Mr. Gagandeep Singh, Advocate for 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.05 dated 13.01.2023, registered for offences under Sections 279, 337, 338 and 427 of the Indian Penal Code, 1860, at Police Station City Morinda, District Rupnagar, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 25.01.2023, Annexure P-2, arrived at between the parties.
2. Counsel for the petitioner submits that FIR, Annexure P-1, is an outcome of injuries sustained in a vehicular accident. He submits that the dispute has been settled by compromise, Annexure P-2.
3. Counsel representing complainant-respondents No.2 and 3 submits that he does not have any objection in case the criminal proceedings are set aside.

4. Pursuant to order dated 17.05.2023 passed by this Court, report has been received from the Judicial Magistrate, relevant extract of which is as under:-

- “(i) There is only one accused, namely, Jagdev Singh son of Jora Singh R/O H. No. 490, Ward No.13, near Dharamshala, Mohalla Dhillon, Samrala, Tehsil Samrala, District Rupnagar.
- (ii) In the abovementioned FIR, no accused has been declared as Proclaimed offender.
- (iii) No other case/FIR is registered against the accused Jagdev Singh as per police record.”

5. Heard counsel for the parties.

6. In view of the report given by the learned Magistrate 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.

7. Accordingly, the petition is allowed. FIR No.05 dated 13.01.2023, registered for offences under Sections 279, 337, 338 and 427 of the Indian Penal Code, 1860, at Police Station City Morinda, District Rupnagar, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioner.

12.09.2023
Kamal

(SUVIR SEHGAL)
JUDGE

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