

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

(295)

**CRM-M-48448-2023
Date of Decision:- 05.12.2023**

Gurpreet Singh**...Petitioner****VERSUS****State of Punjab and others****...Respondents****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Gaurav Garg, Advocate for the petitioner.

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

Mr. Nitin Sachdeva, Advocate for
Mr. Lalit Pathak, Advocate for the complainant-respondent No.2
and injured-respondent No.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.09 dated 22.01.2021, registered for offences under Sections 279, 337, 338 and 427, IPC, at Police Station Amloh, District Fatehgarh Sahib, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 18.09.2023, Annexure P-2, arrived at between the parties.
2. Counsel for the petitioner submits that FIR is an outcome of a vehicular accident and has been amicably settled by compromise, Annexure P-2. He submits that the parties have appeared before the Trial Court and their statements have been recorded.
3. Counsel representing complainant-respondent No.2 and injured-respondent No.3 do not object to the prayer made in the petition.
4. Heard counsel for the parties.
5. Pursuant to order dated 25.09.2023 passed by this Court, report has been received from the learned Judicial Magistrate, relevant extract of

which is as under:-

- “(i) As per the statement of SI Manjit Singh no.2119/PTL posted at GRP, Police Line Patiala, only one accused person is arraigned in the FIR, only one accused i.e. Gurpreet Singh has been appearing before this court and got recorded his statement, no accused person has been declared proclaimed offender in the present FIR;
- (ii) As per the statement of IO, there is complainant i.e. Baneet Kumar and injured/aggrieved party i.e. Kajal Chatta and they have appeared and have got their statement recorded in support of the compromise;
- (iii) Trial of the present case is fixed for prosecution evidence;
- (iv) From the statements of the parties, it seems that the compromise between the complainant Baneet Kumar, injured Kajal Chatta and accused person namely Gurpreet Singh are genuine, voluntarily and out of free will of the parties.
- (v) As per the statement of IO, no other criminal case is pending against the accused.”

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.09 dated 22.01.2021, registered for offences under Sections 279, 337, 338 and 427, IPC, at Police Station Amloh, District Fatehgarh Sahib, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioner.

05.12.2023

Kamal

(SUVIR SEHGAL)
JUDGE

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