



CRM-M-34743-2024

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

278

CRM-M-34743-2024

Date of decision : 04.11.2024

Jaswant Singh

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Hritik Sharma, Advocate for
Mr. Lupil Gupta, Advocate for petitioner.

Mr. Gautam Thapar, AAG, Punjab.

Mr. Nitin Goswami, Advocate for respondent No.2.

AMARJOT BHATTI J.

1. Petitioner – Jaswant Singh has filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.188 dated 26.10.2022 (Annexure P-1), under Sections 279, 337, 338 of IPC, 1860 registered at Police Station Sadar Patti, District Tarn Taran and all subsequent proceedings arising therefrom on the basis of compromise dated 05.07.2024 (Annexure P-2).

2. Facts of the case are that Ram Singh @ Billoo stated that he had taken 05 Killas of land on lease and had sowed paddy crop. Said crop was to be harvested on 19.10.2022. He was going to the premises of co-villager Joginder Singh resident of Kot Budda for hiring his combine machine. At about 5:30 PM, said Joginder Singh met him on the way and they were talking to each other when Vakil Singh grandson of Subedar Singh reached there. In the meantime, one tralla bearing No.PB-13-AW-9098 driven by its driver at a high speed in a negligent manner and without

**CRM-M-34743-2024****-2-**

blowing horn, came from the side of village Kot Budda and hit against him by coming on wrong side of the road. He fell down on the ground and the driver of tralla fled away along with the vehicle. Alarm was raised by Joginder Singh and Vakil Singh but the said driver did not stop. He suffered serious injury and was admitted in the hospital. On enquiry they came to know the name of the driver of said tralla as Jaswant Singh son of Major Singh, resident of Ajitwal, District Moga. With these allegations, present FIR has been registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Petitioner and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Sub Divisional Judicial Magistrate, Patti dated 29.10.2024. Statement of respondent No.2 has been recorded, where he confirmed the compromise with petitioner. He confirmed that this compromise has been effected without any pressure, coercion or undue influence from any side and he has no objection regarding quashing of FIR.

4. Petitioner- Jaswant Singh also confirmed this fact in his statement. Statement of ASI Manjinder Singh is also recorded. He confirmed that the accused is not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Sub Divisional Judicial Magistrate, Patti it is clear that compromise has been effected between parties without any pressure, coercion or undue influence, which is acceptable to both the parties.

**CRM-M-34743-2024****-3-**

6. Considering all these factors in mind, in the case in hand both parties have mutually settled their dispute. It would enable them to live in peace and harmony and end all litigation started between them. Thus no purpose would be served with the continuation of criminal proceedings.

7. Therefore, considering these facts, petition filed by petitioner is accepted and FIR No.188 dated 26.10.2022 (Annexure P-1), under Sections 279, 337, 338 of IPC, 1860 registered at Police Station Sadar Patti, District Tarn Taran and all other subsequent proceedings arising therefrom are quashed qua petitioner.

8. Accordingly, present petition stands accepted.

9. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

04.11.2024.*Sunil Devi*

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No