



CRM-M-44066-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-44066-2024

Date of decision : 07.11.2024

Kulwinder Singh alias Kinda

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Sahil Koundal, Advocate for
Mr. Mandeep Kumar Dhot, Advocate for petitioner.

Mr. Gautam Thapar, AAG, Punjab.

Mr. Ankit Sharma, Advocate for respondent No.2.

AMARJOT BHATTI J.

1. Petitioner Kulwinder Singh alias Kinda has filed present petition under Section 482 Cr.P.C. for quashing of FIR No.76 dated 24.06.2024, under Sections 279, 337, 338, 427 of IPC, 1860, registered at Police Station Sadar Sangrur, District Sangrur (Annexure P-1) and all subsequent proceedings arising out of the same on the basis of compromise dated 21.08.2024 (Annexure P-2).

2. Facts of the case are that Gagandeep Singh gave his statement that on 18.06.2024, he had gone to Sangrur on his motorcycle No.PB-13-AJ-9032 along with his father for getting medicine for him. On their way back when they reached near village Kammo Majra Kalan near Hyundai Agency it was about 11:30 AM when a tractor make Sonalika, colour blue, suddenly came on the road and turned towards wrong side of the road in a rash and negligent manner. As a result, back portion of the tractor struck against the motorcycle. In this accident he received serious injuries and

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his motorcycle was also damaged. With these allegations, present FIR has been registered.

3. Learned counsel representing State has filed status report, which is taken on record.

4. 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 Judicial Magistrate Ist Class, Sangrur dated 01.10.2024. 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.

5. Petitioner – Kulwinder Singh alias Kinda also confirmed this fact in his statement. Statement of ASI Pushpinder Singh is also recorded. He confirmed that the accused is not involved or declared as proclaimed offender in any other criminal case.

6. Therefore, from the report of Judicial Magistrate Ist Class, Sangrur, it is clear that compromise has been effected between parties without any pressure, coercion or undue influence, which is acceptable to both the parties.

7. 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.

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8. Therefore considering these facts, petition filed by petitioner is accepted and FIR No.76 dated 24.06.2024, under Sections 279, 337, 338, 427 of IPC, 1860, registered at Police Station Sadar Sangrur, District Sangrur (Annexure P-1) and all other subsequent proceedings arising therefrom are quashed qua petitioner.
9. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)

JUDGE

07.11.2024.

Sunil Devi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No