

**S. No.282**

**2024:PHHC:059321**

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

**\*\*\*\***

**CRM-M-57734 of 2023**

**Date of Decision:30.04.2024**

**Sahil Mohammad**

**.....Petitioner**

**Vs.**

**State of Punjab and another**

**.....Respondents**

**CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA**

**Present:- Mr. Mohit Kumar, Advocate for Mr. Krishan Sehajpal,  
Advocate for the petitioner.**

**Mr. Gurpartap Singh Bhullar, AAG, Punjab.**

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**DEEPAK GUPTA, J. (Oral)**

By way of this petition filed under Section 482 Cr.P.C., petitioner prays to quash FIR No.0064 dated 07.09.2022 registered under Sections 279, 304-A and 427 IPC at Police Station Balachaur, District SBS Nagar along with all consequential proceedings on the basis of compromise dated 03.08.2023 (Annexure P.2).

FIR was registered on the complaint of respondent No.2 – Balvir Singh, as per which, on 06.09.2022 at about 08:15 PM, when his son Ranjit Singh alias Raju was coming back to Village Mehatpur from Village Sahdra on his motor-cycle and reached near Bus Stand of the Village, Scooty being driven by Sahil Mohammad (petitioner) in rash and negligent manner hit the motor-cycle of Ranjit alias Raju causing injuries to him and ultimately he died. FIR in question under Sections 279, 304-A and 427 IPC was registered.

As per the status report filed by the respondent- State, the offending vehicle was taken into police possession. However, the petitioner – accused named in the FIR did not join the investigation despite sending notice to him

under Section 41A of Cr.P.C. He remained elusive from the process of law. Raids were conducted at his house and it was revealed that he had left India and went to abroad. “Look Out Circular”, for the petitioner had already been got issued.

Quashing of the FIR and the subsequent proceedings is sought on the basis of compromise, which has been opposed by learned State Counsel.

In CRM-M-47773 of 2023, titled “Palwinder Singh Vs. State of Punjab and another”, decided on 11.03.2024, this Court has held that quashing of a petition involving offence under Section 304-A IPC on the basis of compromise cannot be allowed. This case is covered by the legal position as laid down in the Palwinder Singh’s case (supra).

No ground for quashing the FIR in question is made out.

Dismissed.

April 30, 2024  
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( DEEPAK GUPTA )  
JUDGE

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|---------------------------|--------|
| Whether Speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |