

BALJINDER SINGH

.....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. S.S. Gill, Advocate for the petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.
Mr. Angrej Singh, Advocate for respondents No.2 and 3.

HARKESH MANUJA, J. (ORAL)

By way of this petition filed under Section 482 Cr.P.C. the petitioner prays for quashing of case bearing FIR No.18 dated 13.05.2014 registered under Sections 304-A, 279 and 427 of IPC at P.S. Sadar Pathankot, District Pathankot, along with all consequential proceedings arising out of the same on the basis of compromise dated 24.11.2023.

2. As per allegations levelled in the FIR, the petitioner hit the motorcycle of the deceased-Surinder Kumar from behind which resulted in his death.

3. This Court while issuing notice of motion vide order dated 20.12.2023 directed the parties to appear before trial Court for getting their statements recorded as regards the veracity of the compromise arrived at between them.

4. In pursuance to the order dated 20.12.2023, a report dated 25.01.2024 has been received from the concerned Court, stating that the compromise in the present case is genuine and voluntary.

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5. Learned counsel for the petitioner submits that once, a compromise has been arrived at between the parties without any pressure and respondents No.2 to 4 have no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; the dispute purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He also submits that even, in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

6. On the other hand, learned State counsel submits that allegations in the present FIR are of serious nature and he opposes the prayer made in the petition.

7. I have heard learned counsel for the parties and gone through the records including the report dated 25.01.2024. The parties having settled their dispute so as to live in peace in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the trial Court to invest further time and effort in adjudicating this FIR. The compromise in question is even found to be fully in consonance with the directions issued by this Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR(Criminal) 1052 and Gian Singh Vs.State of Punjab & Anr., 2012(4) RCR (Crl.) 543***". The Coordinate Bench of this Court in **CRM-M-11143-2021** titled as "**Deepak Sharma**

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and Others Vs. State of Haryana and Another”, CRM-M-8847-2023 titled as “*Amrik Singh Gill Vs. U.T. Chandigarh and Others*”, CRM-M-52090-2021 titled as “*Palwinder Singh Vs. State of Punjab and Another*” and CRM-M-55259-2019 titled as “*Sikander Yadav and Another Vs. State of Haryana and Others*” has quashed the FIR on the basis of compromise arising out of offence under Section 304-A of IPC.

8. Thus, in view of the aforesaid report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the petition is allowed and FIR No.18 dated 13.05.2014 registered under Sections 304-A, 279 and 427 of IPC at P.S. Sadar Pathankot, District Pathankot, along with all consequential proceeding arising therefrom, are hereby quashed.

9. The aforesaid order shall, however, be subject to payment of Costs of Rs.50,000/- to be paid to the respondents No.2 to 4, within a period of two weeks from today.

01.03.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

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