

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. M-36155 of 2013

Date of Decision: January 31, 2014

Jatinder Kumar

---Petitioner

versus

State of Punjab and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr.Denesh Goyal, Advocate
for the petitioner
Mr. Neeraj Sharma, AAG, Punjab
for respondent-State.
Mr. Rajnikant Upadhyay, Advocate
for respondent No. 2

REKHA MITTAL, J.

The petitioner has prayed for quashing of FIR No.294 dated 30.11.2010 for offence under Sections 454, 380 of the Indian Penal Code (in short "IPC") registered at Police Station, City Sangrur, District Sangrur on the basis of compromise.

The parties were directed to appear before the trial court/Illaqa Magistrate on 11.11.2013 to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Chief Judicial Magistrate, Sangrur wherein it has been reported that the statements of the petitioner and respondent No.2(complainant) have been recorded and the statements made by the parties in the Court reveal that they have voluntarily entered into a compromise with an intention to live in peace and harmony.

Counsel for the petitioner states that Chetan Garg, co-accused

in the case was subject to trial before the Juvenile Justice Board, Sangrur and has been acquitted of the offence vide judgment dated 3.4.2013.

Counsel for respondent No. 2 has conceded to the fact that the parties have settled their dispute way of compromise and respondent No. 2 (complainant) has got no objection if the aforesaid FIR and proceedings emanating therefrom are ordered to be quashed.

Mr. Neeraj Sharma,, AAG, Punjab has put in appearance on behalf of respondent No.1. He has not disputed correctness of assertions of the petitioner and respondent No.2 (complainant) that the matter has been settled by way of compromise between the parties.

I have heard counsel for the parties and perused the case file.

There is nothing on record to doubt correctness of the compromise effected between the parties, whereby they have decided to settle their dispute with an intention to live in peace and harmony. The present case falls in the category of cases, which can be allowed to be settled by way of compromise, in view of the decision of Hon'ble the Supreme Court of India in *Gian Singh v. State of Punjab and another, 2012(4) R.C.R. (Criminal) 543*.

In view of what has been discussed hereinabove, the petition is allowed and FIR No.294 dated 30.11.2010 for offence under Sections 454, 380 IPC, registered at Police Station, City Sangrur, District Sangrur and proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

(REKHA MITTAL)
JUDGE

January 31, 2014

PARAMJIT

Saini Paramjit Kaur
2014.02.03 16:00
I attest to the accuracy and
integrity of this document
Chandigarh