

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 10786 of 2015.
Date of Decision : 15.05.2015.

Bhupinder Singh @ Upenpreet Singh & Others ...Petitioners

Versus

State of Punjab & another ...Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. P.K. Garg, Advocate for the petitioners.

Mr. Mikhail Kad, Assistant Advocate General, Punjab.

Mr. Ritesh Pandey, Advocate for respondent No. 2.

Tejinder Singh Dhindsa, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 35, dated 13.05.2014, under Sections 323, 324, 326, 34 IPC, registered at Police Station Sekhwan, District Gurdaspur, on the basis of a compromise.

Since quashing of the FIR was sought on the basis of compromise, this Court had directed the parties to appear before the trial Court on 23.04.2015 for recording of their statements. Report as regards veracity of the compromise was also called for.

Placed on record is a report dated 28.04.2015 of the Judicial Magistrate Ist Class, Batala and a perusal of the same would reveal that the statements of the complainant, namely, Salwinder Singh as also of the accused/present petitioners have been duly recorded and it has been opined that a compromise has been effected between the parties without any pressure or coercion.

A Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052* has taken a view that in appropriate cases this Court in exercise of its powers under Section 482 Cr.P.C. can intervene and bring to an end the criminal prosecution in the light of compromise that may have been effected between the parties, even in relation to non-compoundable offences.

In view of the fact that the parties in the instant petition have arrived at a compromise and have taken a decision to continue their lives in peace and harmony, it would be a fit case for this Court to intervene in exercise of its powers under Section 482 Cr.P.C. to bring to an end the criminal prosecution initiated in the light of the impugned FIR.

Accordingly, the present petition is allowed. Impugned FIR No. 35, dated 13.05.2014, under Sections 323, 324, 326, 34 IPC, registered at Police Station Sekhwan, District Gurdaspur and all proceedings emanating therefrom stand quashed.

Petition allowed.

May 15, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE