

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 1143 of 2015.
Date of Decision : 07.04.2015.

Avtar Singh @ Ganju

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Suneet Kumar, Advocate for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab.

Tejinder Singh Dhindsa, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 29, dated 09.05.2012, under Sections 323, 324, 34 IPC, registered at Police Station Bhadson, District Patiala, on the basis of compromise.

While issuing notice of motion on 15.01.2015, this Court had directed the parties to appear before the trial Court for recording of their statements and a report with regard to veracity of the compromise had been called for.

Placed on record is a report dated 21.01.2015 of the Judicial Magistrate Ist Class, Nabha and a perusal of the same would reveal that the statements of the complainant/injured, namely, Gurpreet Singh, Manjit Kaur and Sukhdev Singh as also of the accused/ present petitioner have been duly recorded and it has been opined that a compromise has been effected between the parties voluntarily and 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 had 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. 29, dated 09.05.2012, under Sections 323, 324, 34 IPC, registered at Police Station Bhadson, District Patiala and all proceedings emanating therefrom qua the present petitioner stand quashed.

Petition allowed.

April 07, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE