

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 11484 of 2015.
Date of Decision : 29.06.2015.

Banta Singh and others

...Petitioners

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. D.S. Khurana, Advocate for the petitioners.

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. 97, dated 28.06.2014, under Sections 420/120-B IPC, registered at Police Station City Jalalabad, District Fazilka, on the basis of a compromise.

Since quashing of the FIR was sought on the basis of compromise, this Court while issuing notice of motion on 09.04.2015, had directed the parties to appear before the trial Court/Ilqa Magistrate concerned on 27.04.2015 for recording of their statements. Report as regards veracity of the compromise was also called for.

Placed on record is a report dated 07.05.2015 of the learned Sub Divisional Judicial Magistrate, Jalalabad (West) and a perusal of the same would reveal that the statements of the complainant, namely, Ayodhya Parkash, Nitin Kumar and Varun Kumar as also of the accused i.e. the petitioners herein 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 the facts of the present case, wherein a civil dispute between the parties has been amicably resolved, 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. 97, dated 28.06.2014, under Sections 420/120-B IPC, registered at Police Station City Jalalabad, District Fazilka and all proceedings emanating therefrom stand quashed.

Petition allowed.

June 29, 2015.
kanchan

(TEJINDER SINGH DHINDSA)
JUDGE