

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-1212 of 2015 (O&M)

Date of Decision: 01.05.2015

Deepak Kohli

--Petitioner

Versus

U.T. of Chandigarh & another

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. J.S. Bagga, Advocate for the petitioner.

Mr. G.S. Chahal, A.P.P., U.T., Chandigarh.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Section 482 Cr.P.C for quashing of F.I.R. No.62 dated 13.2.2008 under Sections 448, 465, 467, 468, 471, 120-B I.P.C registered at Police Station, Sector 36, Chandigarh.

Since quashing was sought on the basis of compromise, this Court while issuing notice of motion on 14.1.2015 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 18.2.2015 of the learned J.M.I.C., Chandigarh and a perusal thereof would reveal that the statements of complainant namely Harsharan Singh son of Dr. Arjan Singh as also the accused namely Deepak Kohli (present petitioner) have been duly recorded and it has been opined that the matter has been settled and a compromise has been effected between the parties without any pressure or coercion. Even the statements of the parties stand appended along with the report.

A Full Bench of this Court in case of ***Kulwinder Singh and others Vs. State of Punjab and another, 2007 (3) R.C.R (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 criminal prosecution in the light of compromise that may have been effected between the parties even in relation to non-compoundable offences.

Adverting back to the facts of the present case, wherein the parties have settled their dispute which was essentially civil in nature, it would be an appropriate 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 launched in pursuance to the impugned F.I.R.

Accordingly, present petition is allowed. F.I.R. No.62 dated 13.2.2008 under Sections 448, 465, 467, 468, 471, 120-B I.P.C registered at Police Station, Sector 36, Chandigarh and all proceedings emanating therefrom, stand quashed.

Petition is allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

01.05.2015
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