

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-1347 of 2015.
Date of Decision : 06.04.2015.

Manjit Singh Saini

...Petitioner

Versus

The State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Ms. Sangita Dhanda, 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. for quashing of FIR No. 88, dated 09.05.2013, under Section 420 IPC, registered at Police Station Laddowal, District Ludhiana, on the basis of compromise.

While issuing notice of motion on 21.01.2015, this Court had directed the parties to appear before the concerned Illaqua Magistrate for recording of their statements and a report with regard to veracity of the compromise was also called for.

Even though, as per office report service is complete yet no representation has been caused on behalf of complainant Telu Ram/respondent No. 2.

Be that as it may, placed on record is a report dated 10.03.2015 of the Judicial Magistrate Ist Class, Ludhiana and a perusal of the same would reveal that the statements of the present petitioner/accused as also complainant Telu Ram were duly recorded on 02.02.2015 and it has been opined that a compromise has been

effected between them of their free consent and without any pressure.

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 this Court would have the powers under Section 482 Cr.P.C. to bring to an end the criminal proceedings initiated in the light of registration of FIR even with regard to such offences which are non-compoundable.

Adverting back to the facts of the present case, the parties have amicably settled their dispute which was essentially civil in nature. 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 proceedings initiated in the light of the impugned FIR.

Accordingly, the present petition is allowed. Impugned FIR No. 88, dated 09.05.2013, under Section 420 IPC, registered at Police Station Laddowal, District Ludhiana and all proceedings emanating therefrom stand quashed.

Petition allowed.

April 06, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE