

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-13546 of 2015 (O&M)
Date of Decision: 06.07.2015

Jasmer Singh & others

--Petitioners

Versus

State of Haryana & another

--Respondents

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

Present:- Mr. Tarinder Singh, Advocate for the petitioners.

Mr. Satish Saini, D.A.G., Haryana.

Mr. N.C. Kinra, Advocate for respondent no.2.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Section 482 Cr.P.C for quashing of F.I.R. No.284 dated 31.10.2014 under Sections 341, 434, 385, 389, 447, 452, 427, 379, 420, 467, 468, 471, 506, 511, 120-B I.P.C registered at Police Station, Chandimandir on the basis of compromise.

Since quashing was sought on the basis of compromise, this Court while issuing notice of motion on 28.4.2015 had directed the parties to appear before the Illaqa Magistrate concerned for recording of their statements in support of the compromise and a report had been called for.

Placed on record is a report dated 15.5.2015 of the learned A.C.J.M., Panchkula and a perusal thereof would reveal that the statements of the parties have been recorded and it has been opined that the compromise has been effected without any threat, coercion or pressure.

Even learned counsel appearing for respondent no.2 also makes a statement at the bar that in view of the compromise having been effected, he would have no objection as regards the impugned F.I.R being quashed.

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 any 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 buried the hatchet and have taken a conscious decision to continue in their lives in peace and harmony, 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 initiated in the light of the impugned F.I.R.

Accordingly, present petition is allowed. F.I.R. No.284 dated 31.10.2014 under Sections 341, 434, 385, 389, 447, 452, 427, 379, 420, 467, 468, 471, 506, 511, 120-B I.P.C registered at Police Station, Chandimandir and all proceedings emanating therefrom qua the petitioners, stand quashed.

Petition is allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

06.07.2015
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