

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 182 of 2015.
Date of Decision : 07.04.2015.

John Masih

...Petitioner

Versus

State of U.T. and another

...Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Thakur Ashwani Verma, Advocate for the petitioner.

Mr. Amandeep S. Gill, P.P. for U.T.

Mr. D.K. Singal, Advocate for respondent No. 2/
complainant.

Tejinder Singh Dhindsa, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 163, dated 04.04.2014, under Section 408 IPC, registered at Police Station Sector-11, U.T., Chandigarh, on the basis of compromise.

While issuing notice of motion on 06.01.2015, 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 had been called for.

Placed on record is a report dated 29.01.2015 of the Judicial Magistrate Ist Class, Chandigarh and a perusal of the same would reveal that the statements of the complainant i.e. Ashish Arora as also of the accused, namely, John Masih have been duly recorded and it has been opined that a compromise has been effected between the parties without any undue influence and pressure.

Learned counsel appearing for the complainant also makes a statement that a compromise has been effected and he would have no objection to the quashing of FIR.

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.

Adverting back to the facts of the present case, whereby, a settlement has been arrived at between the parties, it would be a fit case for this Court to exercise 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. 163, dated 04.04.2014, under Section 408 IPC, registered at Police Station Sector-11, U.T., Chandigarh and all proceedings emanating therefrom stand quashed.

Petition allowed.

April 07, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE