

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-197 of 2015(O&M)

Date of decision:- 11.05.2015.

Virsa Singh and others

.....Petitioners.

Versus

State of Punjab and others

.....Respondents.

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Vikas Gupta, Advocate
for the petitioners.

Mr. Mikhail Kad, AAG, Punjab
for respondent No. 1-State.

Mr. Sandeep K. Bokolia, Advocate
for respondents No. 2 and 3.

TEJINDER SINGH DHINDSA, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C praying for quashing of F.I.R. No.343 dated 18.12.2014 under Sections 323/324/148/149 I.P.C registered at Police Station Patti, District Tarn Taran on the basis of compromise, which as per pleadings has been entered into between the parties.

Since quashing was sought on the basis of compromise, this Court on 30.03.2015, had directed the parties to appear before the Illaqua Magistrate concerned for recording of their statements and a report as regards veracity of the compromise was called for.

Placed on record is a report dated 27.04.2015 of the learned Judicial Magistrate 1st Class, Patti and a perusal of the same would reveal that statements of the complainant namely, Surjit Singh son of Milkha Singh as also of the injured namely, Mohinder Kaur wife of Charan Singh and the

accused (petitioner herein) have been duly recorded and it has been opined that the compromise has been arrived at between the parties without any pressure or coercion.

Counsel appearing for the complainant/respondent No. 2 also submits in Court today that he would have no objection to the FIR being quashed on the basis of compromise.

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, the parties herein are closely related and the compromise has been effected at the very initial stage i.e. during the course of investigation itself.

In the light of the compromise having been effected between the parties, it would be a futile exercise for the criminal proceedings to continue as such. It would be construed as an abuse of the process of law as also of the Court.

For the reasons recorded above, the present petition is allowed. F.I.R. No. 343 dated 18.12.2014, under Sections 323/324/148/149 IPC registered at Police Station Patti, District Tarn Taran and all proceedings emanating therefrom qua the present petitioners stand quashed.

Petition allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

May 11, 2015.

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