

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-1996 of 2015 (O&M)
Date of Decision: 21.07.2015

Parminder Singh @ Pinki & others

--Petitioners

Versus

State of Punjab & another

--Respondents

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

Present:- Mr. J.B.S. Gill, Advocate for the petitioners.

Mr. Mikhail Kad, A.A.G., Punjab.

Ms. Amandeep Kaur, Advocate for the complainant.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Section 482 Cr.P.C for quashing of F.I.R. No.84 dated 29.7.2014 under Sections 326, 324, 323, 341, 427, 148, 149 I.P.C registered at Police Station, Mahilpur, District Hoshiarpur, on the basis of compromise.

On 21.1.2015, while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate for recording of their statements in support of the compromise and a report had been called for.

Placed on record is a report dated 20.3.2015 of the learned J.M.I.C., Garshankar and a perusal thereof would reveal that the statements of complainant namely Jagtar Singh as also accused i.e. the present petitioners were duly recorded and it has been opined that the compromise has been entered into voluntarily and without any pressure or coercion.

Learned counsel appearing for the complainant 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 a compromise that may have been effected between the parties even in relation to non-compoundable offences.

In view of the conscious decision taken by the parties to continue with their lives in peace and harmony, 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 F.I.R.

Accordingly, present petition is allowed. F.I.R. No.84 dated 29.7.2014 under Sections 326, 324, 323, 341, 427, 148, 149 I.P.C registered at Police Station, Mahilpur, District Hoshiarpur and all proceedings emanating therefrom qua the present petitioners stand quashed.

Petition is allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

21.07.2015
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