

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-2389 of 2015 (O&M)
Date of Decision: 13.07.2015

Baljinder Singh @ Jhinda & another

--Petitioners

Versus

State of Punjab & another

--Respondents

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

Present:- Mr. D.K. Prajapati, Advocate for the petitioners.

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

Mr. Anil Kumar Spehia, 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.49 dated 12.10.2014 under Sections 363, 366-A, 354-A, 506 I.P.C registered at Police Station, Qadian, District Batala, on the basis of compromise.

Since quashing was sought on the basis of compromise, this Court on 27.4.2015 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 18.5.2015 of the learned J.M.I.C., Batala and a perusal thereof would reveal that statements of complainant namely Paramjit Kaur, respondent no.2 as also of the accused-petitioners namely Baljinder Singh @ Jhinda and Rahul Kumar @ Kuldeep Kumar have been duly recorded and it has been opined that the compromise has been effected between the parties without any pressure or coercion.

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 a compromise that may have been effected between the parties even in relation to non-compoundable offences.

Adverting back to the present case, the facts are peculiar. Even though serious allegations had been raised by the complainant which led to the registration of the impugned F.I.R, yet, it transpires that thereafter the complainant herself has got married with petitioner no.1 namely Baljinder Singh @ Jhinda and they are now residing peacefully as husband and wife. Such fact is even conceded by learned State counsel, who is on instructions from ASI Shiv Singh.

In an overview of the matter, this Court is of the considered view that the compromise between the parties is to be acted upon. Accordingly, present petition is allowed. F.I.R. No.49 dated 12.10.2014 under Sections 363, 366-A, 354-A, 506 I.P.C registered at Police Station, Qadian, District Batala, and all proceedings emanating therefrom qua the present petitioners, stand quashed.

Petition is allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

13.07.2015
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