

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 29388 of 2013.
Date of Decision : 29.06.2015.

Gurdev Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Arpan Sabharwal, Advocate for the petitioners.

Mr. Mikhail Kad, Assistant Advocate General, Punjab.

Mr. Vansh Malhotra, Advocate for the complainant.

Tejinder Singh Dhindsa, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 184, dated 04.08.2010, under Sections 419, 465, 467, 468, 471 and 120-B IPC, registered at Police Station Jodhewal, Ludhiana, on the basis of a compromise.

Since quashing of the FIR was sought on the basis of compromise, this Court on 25.10.2013, had directed the parties to appear before the trial Court for recording of their statements. Report as regards veracity of the compromise was also called for.

Placed on record is a report dated 21.11.2013 of the learned Judicial Magistrate Ist Class, Ludhiana and a perusal of the same would reveal that the statements of the complainant, namely, Shiv Kumar as also of the accused (present petitioners), namely, Gurdev Singh, Nachattar Kaur, Satnam Singh and Mohinder Singh have been duly recorded and it has been opined that a compromise has

been effected between the parties without any pressure or coercion.

Even counsel appearing for the complainant submits in Court today that he would have no objection to the quashing of the FIR in the light of the settlement having been arrived at between the parties.

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, wherein a civil dispute between the parties has been amicably resolved, it would be a fit 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 FIR.

Accordingly, the present petition is allowed. Impugned FIR No. 184, dated 04.08.2010, under Sections 419, 465, 467, 468, 471 and 120-B IPC, registered at Police Station Jodhewal, Ludhiana and all proceedings emanating therefrom stand quashed.

Petition allowed.

June 29, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE