

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 27209 of 2014 (O&M)
Date of decision : February 16, 2015

Sukhpal and another,

..... Petitioners

v.

State of Punjab and others,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Abhimanyu Singh, Advocate
for the petitioners.

Mr. APS Gill, AAG Punjab

Mr. Keshav Pratap Singh, Advocate
for the complainant.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
- 2. To be referred to the Reporters or not ?**
- 3. Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

Prayer in the present petition, filed under Section 482 of the Cr.P.C, is for compounding of offence in case-FIR No.131, dated 16.07.2005, registered under Sections 324, 323, 34 of the IPC, at Police Station Balachaur on the basis of a compromise, arrived at between the parties.

Pursuant to the order of this Court dated 13.8.2014, report dated 12.11.2014 from the C.J.M, SBS Nagar has been received attesting to the fact that the matter has been compromised between the parties.

Counsel for the petitioners has stated that though the petitioners have been convicted by the trial Court, the matter has been compromised between the parties amicably. He has relied upon a decision of the Hon'ble Supreme Court in Sube Singh and another v. State of Haryana and another, 2013(4) RCR (Criminal) 102, where it has been held that High Court can quash the proceedings even after order of conviction.

Counsel for the State of Punjab, as well as counsel for the complainant have also confirmed this fact and state that they have no objection if the judgment/order of conviction and sentence is set aside.

In view of the above judicial pronouncement, I am of the considered opinion that continuation of criminal proceedings between the parties would be an abuse of the process of law and the present compromise is for their benefit and will bring peace and harmony between them. Consequently, the parties are allowed to compound the offence under Sections 324, 323, 34 of the IPC. Resultantly, this petition is allowed, FIR No.131, dated 16.07.2005, registered under Sections 324, 323, 34 of the IPC at Police Station Balachaur, and all subsequent proceedings, emanating therefrom, as well as the judgment/order of conviction dated 12.3.2013 are quashed.

(AJAY TEWARI)
JUDGE

February 16, 2015
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