

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-3051 of 2015 (O&M)

Date of Decision: 30.4.2015

Hari Kishan & others

--Petitioners

Versus

State of Haryana and others

--Respondents

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

Present:- Mr. Deepender Singh, Advocate for the petitioners.

Mr. Arun Kumar, A.A.G., Haryana.

Mr. Uday Chauhan, Advocate for respondents no.2 & 3.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Section 482 Cr.P.C for quashing of F.I.R. No.148 dated 20.11.2007 under Sections 148, 149, 323, 324, 341 I.P.C registered at Police Station, Chhainsa, District Faridabad.

Since quashing was sought on the basis of compromise, this Court while issuing notice of motion on 2.2.2015 had directed the parties to appear before the Trial Court for recording of their statements and a report with regard to veracity of the compromise had been called for.

Placed on record is a report dated 23.2.2015 of the learned J.M.I.C., Faridabad and a perusal thereof would reveal that the statements of complainant namely Ombir and injured Sunder Singh i.e. private respondent herein as also of the accused party stand duly recorded and it has been opined that a compromise has been effected between the parties voluntarily and without any pressure or coercion. Even the statements of the parties stand appended along with the report.

Even learned counsel appearing for respondents no.2 and 3 makes a statement that he has no objection to the quashing of the F.I.R in the light of the 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, wherein the parties have buried the hatchet and have taken a conscious decision to continue with their lives in peace and harmony, it would be an appropriate 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 launched in pursuance to the impugned F.I.R.

Accordingly, present petition is allowed. F.I.R. No.148 dated 20.11.2007 under Sections 148, 149, 323, 324, 341 I.P.C registered at Police Station, Chhainsa, District Faridabad and all proceedings emanating therefrom, stand quashed.

Petition is allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

April 30, 2015
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