

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M No. 32209 of 2014.  
Date of Decision : 21.04.2015.

Vinod @ Bittu

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. F.S. Virk, Advocate for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab.

Mr. A.S. Gill, Advocate for the complainant/  
respondent No. 2.

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*Tejinder Singh Dhindsa, J. (Oral)*

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 32 dated 20.02.2014, under Section 295 IPC, registered at Police Station Bawa Khel, Jalandhar City.

Since quashing was sought on the basis of compromise, this Court on 25.11.2014 had directed the parties to appear before the trial Court for recording of their statements and a report as regards genuineness of the compromise had been called for.

Placed on record is a report dated 27.12.2014 of the learned Judicial Magistrate Ist Class, Jalandhar and a perusal of the same would reveal that the statements of the complainant, namely, Hardev Singh and accused Vinod @ Bittu have been duly recorded and it has been opined that a compromise has been effected between the parties without any undue influence and coercion.

Learned counsel appearing for the complainant/  
respondent No. 2 would also make a statement that he would have no

objection to the quashing of the impugned FIR on the basis of the compromise.

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.

At this stage, learned State counsel upon instructions from ASI Fakir Singh would apprise the Court that in pursuance to the investigation having been conducted, a report under Section 173 Cr.P.C. has been prepared yet not presented in Court, in which, Naresh Kumar son of Lal Chand has also been nominated as an accused.

Be that as it may, in the present case, wherein the petition has been filed only by Vinod @ Bittu and with whom a compromise has been effected with the complainant Hardev Singh, the prayer is allowed. Impugned FIR No. 32 dated 20.02.2014, under Section 295 IPC, registered at Police Station Bawa Khel, Jalandhar City and all proceedings emanating therefrom qua the present petitioner stand quashed.

Petition allowed in the aforesaid terms.

April 21, 2015.  
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(TEJINDER SINGH DHINDSA)  
JUDGE