

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 36427 of 2013.
Date of Decision : 09.04.2015.

Jaswant Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Harkaran Singh, Advocate for
Mr. B.S. Seemar, Advocate for the petitioners.

Mr. Mikhail Kad, Assistant Advocate General, Punjab.

Tejinder Singh Dhindsa, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 163, dated 24.09.2013, under Sections 323, 325, 34 IPC, registered at Police Station Moga City, District Moga, on the basis of compromise.

The injured in the alleged occurrence are respondents No. 2 and 3, namely, Harjodh Singh son of Genda Singh and Shamsheer Singh son of Kartar Singh.

While issuing notice of motion on 29.10.2013, this Court had directed the parties to appear before the concerned Illaqua Magistrate 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 08.12.2014 of the Chief Judicial Magistrate, Moga along with statements of injured Shamsheer Singh as also Harjodh Singh and who have stated that compromise has been effected and they would have no objection to the FIR being

quashed.

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, since the parties have taken a conscious decision to continue their lives in peace and harmony, 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. 163, dated 24.09.2013, under Sections 323, 325, 34 IPC, registered at Police Station Moga City, District Moga and all proceedings emanating therefrom stand quashed.

Petition disposed of.

April 09, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE