

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 3482 of 2015.
Date of Decision : 10.03.2015.

Satvir Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Surinder Sharma, Advocate for the petitioners.

Mr. Mikhail Kad, Assistant Advocate General, Punjab.

Mr. Vijay Lath, Advocate for respondents No. 2 and 3.

Tejinder Singh Dhindsa, J.(Oral)

This order shall dispose of CRM-M No. 3482 of 2015 as also CRM-M No. 3309 of 2015, filed under Section 482 Cr.P.C.

Both these petitions are being taken up together for disposal as in CRM-M No. 3482 of 2015, quashing of FIR No. 107 dated 09.08.2014 under Sections 323, 324, 34 IPC, P.S. Bhogpur, District Jalandhar, has been sought on the basis of compromise and in CRM-M No. 3309 of 2015 quashing of cross version DDR No. 15 dated 10.08.2014 in FIR No. 107 dated 09.08.2014 under Sections 323, 324, 506, 34 IPC, registered at Police Station Bhogpur, District Jalandhar is sought again on the basis of compromise having been arrived at between the parties.

On 05.02.2015, both these petitions came up for hearing before this Court and while issuing notice of motion, parties had been directed to appear before the Illaqa Magistrate for recording of their statements and a report with regard to the veracity of compromise had been called for.

In pursuance to the order dated 05.02.2015, a report dated 2.3.2015 of the Judicial Magistrate Ist Class, Jalandhar has been placed

on record along with the statements of the parties which have been duly recorded. In terms of such report, the parties have amicably resolved the matter and a compromise has been entered into with their free consent.

Even counsel appearing for respondents No. 2 and 3 would make a statement that the dispute between the parties, has since been resolved.

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 this Court would have the powers under Section 482 Cr.P.C. to bring to an end the criminal proceedings initiated in the light of registration of FIR even with regard to such offences which are non-compoundable.

Concededly the parties herein have taken a conscious decision to amicably resolve their dispute. Under such circumstances, the proceedings if permitted to be continue, would be construed as an abuse of the process of law as also of the Court.

For the reasons recorded above, both the aforementioned petitions are allowed. FIR No. 107 dated 09.08.2014 under Sections 323, 324, 34 IPC, P.S. Bhogpur, District Jalandhar and cross version i.e. DDR No. 15 dated 10.08.2014 in FIR No. 107 dated 09.08.2014 under Sections 323, 324, 506, 34 IPC, registered at Police Station Bhogpur, District Jalandhar and all proceedings emanating therefrom stand quashed.

Both the petitions stand allowed in the light of the present common order.

Disposed of.

March 10, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE