

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-4960 of 2015 (O&M)

Date of Decision: 08.04.2015

Jodh Singh & others

--Petitioners

Versus

State of Punjab and another

--Respondents

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

Present:- Mr. Vishal Munjal, Advocate for the petitioners.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

Mr. R.S. Rawat, Advocate for complainant/respondent no.2.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Section 482 Cr.P.C for quashing of F.I.R. No.263 dated 7.12.2013 under Section 420 I.P.C registered at Police Station, Sadar, Tarn Taran, District Tarn Taran, on the basis of compromise.

On 13.2.2015, while issuing notice of motion, this Court had directed the parties to appear before the C.J.M., Tarn Taran for recording of their statements in support of the compromise and a report had been called for.

Placed on record is a report dated 24.3.2015 of the C.J.M., Tarn Taran and a perusal thereof would reveal that the statements of complainant as also all the accused i.e. the present petitioners have been duly recorded and it has been opined that the compromise has been effected voluntarily and without any pressure.

Even learned counsel appearing for the complainant/respondent no.2 submits that a compromise has been effected, he would have no

objection as regards the impugned F.I.R being quashed.

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 a dispute between the parties, which was essentially civil in nature has been amicably settled, it would be a fit case for this Court to exercise its powers under Section 482 Cr.P.C to bring to an end the criminal prosecution initiated in the light of the impugned F.I.R.

Accordingly, present petition is allowed. F.I.R. No.263 dated 7.12.2013 under Section 420 I.P.C registered at Police Station, Sadar, Tarn Taran, District Tarn Taran and all proceedings emanating therefrom, stand quashed.

Petition is allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

April 08, 2015
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