

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.547 of 2015 (O&M)

Decided on: 16.07.2015

Paramjit Singh @ Paramjit Jhutti . . . Petitioner

Versus

State of Punjab & others . . . Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Ms. Shivya Sehgal, Advocate
for the petitioner.

Mr. N.K. Chopra, DAG, Punjab.

Mr. C.S. Sharma, Advocate
for respondents No.2 to 5.

TEJINDER SINGH DHINDSA, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.70 dated 18.08.1998, under Sections 323, 341, 506 IPC, registered at Police Station Kartarpur, District Jalandhar, on the basis of compromise.

Since quashing was sought on the basis of compromise, this Court on 15.01.2015 had directed the parties to appear before the trial Court concerned for recording of their statements and a report as regards veracity of the compromise was called for.

In compliance to the order dated 15.01.2015, report dated 23.01.2015 of the Chief Judicial Magistrate, Jalandhar was placed on record, in which it has been submitted that compromise

has been effected between the accused/present petitioner namely Paramjit Singh and Ranjit Kaur, Santosh Sandhu, Manjit Kaur and Resham Kaur (being the legal representatives of the complainant Ram Lal since deceased).

In the light of such position, this Court on 10.03.2015, called for clarification as regards Ranjit Kaur, Santosh Sandhu, Manjit Kaur and Resham Kaur being the only legal heirs of the complainant, namely, Ram Lal (since deceased).

Placed on record is a report dated 15.07.2015 of the learned Chief Judicial Magistrate, Jalandhar and a perusal thereof would reveal that afore noticed 4 persons namely; Ranjit Kaur, Santosh Sandhu, Manjit Kaur and Resham Kaur are the only legal heirs of deceased Ram Lal. It has also been reported by the trial Court that the compromise effected between the parties is without any pressure or coercion.

Counsel appearing for respondent Nos.2 to 5 also submits in Court today that he would have no objection to the FIR being quashed on the basis of 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.

Adverting back to the facts of the present case, the dispute between the parties has since been resolved. The parties have taken a conscious decision to amicably settle and live in peace and harmony.

In the light of the compromise having been effected between the parties, it would be a futile exercise for the criminal proceedings to continue as such. It would be construed as an abuse of the process of law as also of the Court.

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For the reasons recorded above, the present petition is allowed. FIR No.70 dated 18.08.1998, under Sections 323, 341, 506 IPC, registered at Police Station Kartarpur, District Jalandhar and all proceedings emanating therefrom stand quashed.

Petition allowed in the aforesaid terms.

[TEJINDER SINGH DHINDSA]
JUDGE

16.07.2015
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