

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 5677 of 2015.
Date of Decision : 21.05.2015.

Partap Singh

...Petitioner

Versus

State of Haryana & another

...Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Nonish Kumar, Advocate for the petitioner.

Mr. M.S. Sidhu, Addl. Advocate General, Haryana.

Mr. Wazir Singh, Advocate for
Mr. Kiran Kumar, Advocate for respondent No. 2/
complainant.

Tejinder Singh Dhindsa, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 233, dated 13.06.2014, under Section 506 IPC, registered at Police Station Indri, District Karnal, on the basis of a compromise.

Since quashing of the FIR was sought on the basis of compromise, this Court while issuing notice of motion on 20.02.2015, had directed the parties to appear before the trial Court for recording of their statements. A report as regards genuineness of the compromise was also called for.

Placed on record is a report dated 13.03.2015 of the learned Civil Judge (Jr. Divn.)-cum-Judicial Magistrate Ist Class, Karnal, and a perusal of the same would reveal that the statements of the complainant, namely, Sushma as also of the accused i.e. the petitioner

herein have been duly recorded and it has been opined that a compromise has been effected between the parties without any pressure or coercion.

Even counsel appearing for the complainant/ respondent No. 2 would also make a statement in Court today that he has no objection to the instant petition being allowed and the impugned FIR being quashed insofar as the present petitioner is concerned.

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, since the parties have resolved their dispute amicably, 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. 233, dated 13.06.2014, under Section 506 IPC, registered at Police Station Indri, District Karnal and all proceedings emanating therefrom qua the present petitioner stand quashed.

Petition allowed in the aforesaid terms.

May 21, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE