

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 6346 of 2015.
Date of Decision : 21.04.2015.

Gurinderjit Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Ms. Ravinder Kaur Manaise, Advocate for the petitioners.

Mr. Mikhail Kad, Assistant Advocate General, Punjab.

Mr. Gagandeep Singh Manku, Advocate
for respondent No. 2.

Tejinder Singh Dhindsa, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 92 dated 16.09.2013, under Sections 452, 323, 325, 34 IPC, registered at Police Station Sadar Gurdaspur, District Gurdaspur.

Since quashing was sought on the basis of compromise, this Court, while issuing notice of motion on 26.02.2015, had directed the parties to appear before the learned Chief Judicial Magistrate, Gurdaspur 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 13.04.2015 of the learned Chief Judicial Magistrate, Gurdaspur and a perusal of the same would reveal that the statements of the complainant, namely, Asha Rani as also the accused (present petitioners), namely, Gurinderjit Singh, Labh Singh, Sahib Singh @ Gopi and Sher Singh have been duly

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

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.

In the present case, the parties have compromised the matter even while the matter is under investigation i.e. at the very initial stage.

Even learned counsel appearing for the complainant/respondent No. 2 would make a statement that he has no objection to the FIR being quashed in the light of the compromise.

Accordingly, the present petition is allowed. Impugned FIR No. 92 dated 16.09.2013, under Sections 452, 323, 325, 34 IPC, registered at Police Station Sadar Gurdaspur, District Gurdaspur and all proceedings emanating therefrom stand quashed.

Petition allowed.

April 21, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE