

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

CRM-M-6517 of 2015

Date of Decision: July 10, 2015

Ajit Singh and others

....Petitioners

VS

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Tapish Gupta, Advocate, for
Mr. N.K. Manchanda, Advocate,
for the petitioners.

Mr. Mikhail Kad, AAG. Punjab.

None 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. 307 dated 11.11.2014 under
Sections 457/380 IPC, registered at Police Station City Ferozepur,
District Ferozepur on the basis of compromise.

Since quashing was sought on the basis of
compromise, this Court on 26.02.2015 had directed the parties to
appear before the trial Court/Illaq Magistrate concerned for

recording of their statements and a report as regards veracity of the compromise was called for.

Placed on record is a report dated 18.03.2015 of the Chief Judicial Magistrate, Ferozepur and a perusal thereof would reveal that the statements of the parties have been duly recorded and it has been opined that compromise that has been effected between the parties is without any pressure or coercion. Even the statements of the parties that have been recorded stand appended along with the report.

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 any compromise that may have been effected 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.

Under such circumstances, criminal proceedings, if,

permitted to continue on the basis of the registration of the impugned FIR would be construed as an abuse of the process of law as also of the Court.

For the reasons recorded above, the present petition is allowed. FIR No. 307 dated 11.11.2014 under Sections 457/380 IPC, registered at Police Station City Ferozepur, District Ferozepur and all proceedings emanating therefrom, stand quashed.

Petition is allowed.

(TEJINDER SINGH DHINDSA)
JUDGE

10.07.2015
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