

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 7223 of 2015.
Date of Decision : 19.05.2015.

Rekha & others

...Petitioners

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Manoj Pundir, Advocate for
Mr. D.K. Bhatti, Advocate for the petitioners.

Mr. Mikhail Kad, Assistant Advocate General, Punjab.

Mr. Vinay Puri, Advocate for respondent No. 4.

Tejinder Singh Dhindsa, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 156, dated 09.10.2014, under Sections 323, 324, 452, 307, 148, 149 IPC, registered at Police Station Division No. 3, Jullunder, District Jalandhar, 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 30.03.2015, had directed the parties to appear before the trial Court on 21.04.2015 for recording of their statements. Report as regards veracity of the compromise was also called for.

Placed on record is a report dated 23.04.2015 of the learned Additional Chief Judicial Magistrate, Jalandhar and a perusal of the same would reveal that the statements of the complainant, namely, Nand Rani Sabharwal as also of the accused/present petitioners have been duly recorded and it has been opined that a compromise has been effected between the parties without any pressure or coercion.

Even learned counsel appearing for the complainant/
respondent No. 4 makes a statement in Court today that he would have

no objection to the quashing of the FIR in pursuance to the compromise having been effected between the parties.

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, it is observed that even though offence under Section 307 IPC has been cited, still it has gone uncontroverted that the injury suffered by the complainant was on a non-vital part of the body. Furthermore, parties have entered into a settlement at the very initial stage inasmuch as even though charges have been framed but no prosecution evidence has yet been led. This Court is of the considered view that the compromise/settlement arrived at between the parties needs to be recognized and acted upon in the light of the parameters laid down by the Hon'ble Supreme Court in *Narender Singh & Others Vs. State of Punjab & another, 2014, Vol. 2, RCR (Criminal), 482*.

For the reasons recorded above, the present petition is allowed. Impugned FIR No. 156, dated 09.10.2014, under Sections 323, 324, 452, 307, 148, 149 IPC, registered at Police Station Division No. 3, Jullunder, District Jalandhar and all proceedings emanating therefrom stand quashed.

Petition allowed.

May 19, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE