

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

**CRM No. M-9376 of 2014
Date of decision: 26.02.2015**

Jagpal Singh and others

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE K. C. PURI

Present : Mr. Hari Om Verma, Advocate
for the petitioners.

Mr. K.D. Sachdeva, Addl. A.G., Punjab.

K. C. PURI, J. (ORAL)

This is a petition under Section 482 of the Code of Criminal Procedure for quashing FIR No.109 dated 13.06.2011, under Sections 304 read with Section 34 of the Indian Penal Code, registered at Police Station Samrala, District Ludhiana, on the basis of compromise along with all subsequent proceedings arising from that FIR.

Report from the trial Court has been received in which it is mentioned that parties have arrived at a compromise. It was a personal dispute, which has been amicably settled.

In normal circumstances, the offence under Section 304 IPC cannot be allowed to be compounded, but in this case the learned State Counsel has submitted that the Cancellation Report was submitted as death of Karnail Singh was found to be due to cardiac arrest and on

that account Section 304 IPC was not attracted.

Learned counsel for the petitioner has also referred the report, in which it is mentioned that the death has taken place due to cardiac arrest.

Since, the matter has been compromised and the case is at the initial stage, the witnesses are not likely to support the case of the prosecution. The continuation of criminal proceedings in such circumstances would be an exercise in futility.

So, in view of the above circumstances and in view of authority reported as, “**Kulwinder Singh and others vs. State of Punjab and others**” 2007 (3) RCR (Criminal) 1052, the above said FIR stands quashed. Further proceedings in pursuant to that FIR also stands quashed.

Disposed of.

26.02.2015

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(K. C. PURI)
JUDGE