

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 95 of 2015.
Date of Decision : 21.05.2015.

Sher Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. A.P.S. Tung, Advocate for
Mr. S.S. Rana, Advocate for the petitioners.

Mr. Mikhail Kad, Assistant Advocate General, Punjab.

Tejinder Singh Dhindsa, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 152, dated 27.09.2007, under Sections 420, 466, 467, 468, 471 IPC, registered at Police Station Ghuman, Police District Batala, District Gurdaspur, 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 08.01.2015, had directed the parties to appear before the trial Court for recording of their statements and a report as regards veracity of the compromise had been called for.

Placed on record is a report dated 20.05.2015 of the learned Judicial Magistrate Ist Class, Batala and a perusal of the same would reveal that the statements of the complainant, namely, Darshan Singh as also of the accused i.e. the petitioners herein have been duly recorded and it has been opined that a compromise has been effected

between the parties voluntarily and without any pressure.

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, wherein the dispute which was essentially civil in nature has been settled, 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. 152, dated 27.09.2007, under Sections 420, 466, 467, 468, 471 IPC, registered at Police Station Ghuman, Police District Batala, District Gurdaspur and all proceedings emanating therefrom qua the present petitioners stand quashed.

Petition allowed in the aforesaid terms.

May 21, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE