

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-956 of 2015 (O&M)

Date of Decision: 19.3.2015

Manju @ Manju Sharma & another

--Petitioners

Versus

State of Punjab and another

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. R.K. Arya, Advocate for the petitioners.

Mr. Mikhail Kad, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

Learned counsel appearing for the petitioners, at the very outset, makes a statement that he is not pressing the instant petition qua petitioner no.2.

Accordingly, the instant petition qua petitioner no.2 stands dismissed and would survive only in relation to Manju @ Manju Sharma wife of Satish Kumar, petitioner no.1.

The instant petition has been filed under Section 482 Cr.P.C for quashing of F.I.R. No.186 dated 21.8.2011 under Sections 382, 323, 452, 506, 120-B, 34 I.P.C registered at Police Station, A Division, Amritsar City, District Amritsar.

On 12.1.2015, while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate for recording of their statements in support of the compromise and a report had been called for.

Placed on record is a report dated 20.2.2015 of J.M.I.C., Amritsar and a perusal thereof would reveal that the statements of

accused/petitioner no.1 namely Manju @ Manju Sharma as also complainant/respondent no.2 Kiran Rani have been recorded and it has been opined that the compromise has been entered into voluntarily and without any pressure or coercion. Even the statements of the parties 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 since a compromise has been effected between the parties, this Court is of the view that it would be a fit case for the criminal prosecution to be brought to an end between petitioner no.1 and the complainant.

Accordingly, present petition is allowed. F.I.R. No.186 dated 21.8.2011 under Sections 382, 323, 452, 506, 120-B, 34 I.P.C registered at Police Station, A Division, Amritsar City, District Amritsar and all proceedings emanating therefrom qua petitioner no.1, stand quashed.

Petition is allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

March 19, 2015
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