

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-9742 of 2014 (O&M)
Date of Decision: 28.4.2015

Talwinder Singh @ Sodhi & another

--Petitioners

Versus

State of Punjab and others

--Respondents

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

Present:- Mr. Gulzar Mohd., Advocate for the petitioners.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

Mr. S.K. Arora, Advocate for

Mr. V.S. Rana, Advocate for respondents no.2 & 3.

TEJINDER SINGH DHINDSA.J

This order shall dispose of CRM No. M-9742 of 2014 (Talwinder Singh @ Sodhi & another) and CRM No. M-37093 of 2014 (Lakhvir Singh @ Feera & another Vs. State of Punjab & another) as the prayer made in these two connected petitions is for quashing of F.I.R. No.167 dated 13.10.2013 under Sections 323, 324, 379, 148, 149 I.P.C (Section 326 I.P.C added later on) registered at Police Station, Maqsudan, District Jalandhar and for quashing of cross-version registered vide D.D.R. No.28 dated 13.10.2013 under section 324 I.P.C (Section 326 I.P.C added later on) registered at Police Station, Maqsudan, District Jalandhar, on the basis of compromise.

On 21.3.2014, while issuing notice of motion in CRM No. M-9742 of 2014, this Court had directed the parties to appear before the C.J.M., Jalandhar for recording of their statements in support of the compromise and a report had been called for.

Likewise, on 3.11.2014 notice of motion was issued in CRM No. M-37093 of 2014 and the parties were directed to appear before the Illaqa Magistrate concerned for recording of their statements.

Placed on record is a report dated 15.4.2015 of the J.M.I.C., Jalandhar and a perusal thereof would reveal that the statements of parties have been duly recorded and it has been opined that the compromise has been effected voluntarily and without undue influence and coercion.

In the same light is the report dated 5.1.2015 of the J.M.I.C., Jalandhar as regards compromise having been effected voluntarily in the cross-version and such opinion has been given after recording of the statements of the parties concerned.

Even learned counsel appearing for the respective parties submit in court that in the light of the compromise the F.I.R in question as also cross-version may be quashed.

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 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, since the parties have resolved their differences and have buried the hatchet and have taken a conscious decision to continue with their lives in peace and harmony, it would be appropriate for this Court to exercise powers under Section 482 Cr.P.C to bring to an end the criminal prosecution.

Accordingly, present petitions are allowed. F.I.R. No.167 dated 13.10.2013 under Sections 323, 324, 379, 148, 149 I.P.C (Section 326 I.P.C added later on) registered at Police Station, Maqsudan, District Jalandhar as also cross-version registered vide D.D.R. No.28 dated 13.10.2013 under section 324 I.P.C (Section 326 I.P.C added later on) registered at Police Station, Maqsudan, District Jalandhar and all proceedings emanating therefrom, stand quashed.

Petitions are allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

April 28, 2015
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