

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-13797 of 2016

Date of decision:- September 14, 2016

Shera and another

...Petitioners...

versus

State of Punjab and another

...Respondents...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Sandeep Arora, Advocate,
for the petitioners.

Mr. J.S. Sekhon, AAG, Punjab.

Mr. G.S. Rawat, Advocate,
for respondent No.2.

JASPAL SINGH, J.

Instant petition has been preferred under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.91, dated 16.06.2013, under Sections 452, 324, 326/34 IPC, Police Station Kalanaur, District Gurdaspur (Annexure P-1), along with all consequential proceedings arising out of the same, on the basis of compromise.

2. In compliance of order dated 29.07.2016, report of learned Judicial Magistrate has been received, in which, it has been categorically observed that parties have entered into compromise without any pressure, coercion, undue influence and same has been done with the free consent of

the parties. Even otherwise, the matter involved is personal in nature, which

has been amicably put at rest. Compromise is the soul of justice, which not only enhances the social amity, harmony and peace but also reduces friction and discord.

3. So, in view of above circumstances and in view of the pronouncement captioned as Kulwinder Singh & others v. State of Punjab & others; 2007 (3) RCR (Criminal) 1052, I am of the considered opinion that continuation of criminal proceedings between the parties would be an abuse of the process of law and the present compromise is for their benefit and will bring peace and harmony between them.

4. Consequently, the instant petition stands allowed and FIR No.91, dated 16.06.2013, under Sections 452, 324, 326/34 IPC, Police Station Kalanaur, District Gurdaspur, and all other consequential proceedings arising therefrom are quashed qua the petitioners.

September 14, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No