

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-14375 of 2016
DECIDED ON : AUGUST 12, 2016

KARANBIR SINGH & OTHERS

....PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

....RESPONDENTS

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. A.S. Handa, Advocate,
for the petitioners.

Mr. RPS Sidhu, AAG, Punjab.

Mr. Raj Karan Singh Verka, Advocate
for respondent No.2.

JASPAL SINGH, J. (ORAL)

This is a petition under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 89, dated 27.03.2016, under Sections 452, 323, 506, 148 and 149 IPC, registered at Police Station A Division, Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2).

2 Report of learned trial Court has been received, wherein, it has been categorically observed that the compromise is genuine, voluntary, without any threat or coercion. Even otherwise, matter involved in these proceedings is personal in nature, which has been amicably put at rest.

Here, it would be pertinent to mention that petitioner No.3-Sandeep

Singh son of Kulwant Singh did not appear before learned trial Court/Illaq Magistrate for getting recording his statement.

3. So, in view of circumstances narrated above as well as the observations made in cases reported as ***Kulwinder Singh and others vs. State of Punjab and another***; 2007(3) RCR (Criminal) 1052 and ***Narinder Singh and Others Vs. State of Punjab and Another (2014) 6 SCC 466***, 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 the benefit of the parties and would certainly bring peace and harmony between them.

4. Consequently, instant petition stands allowed and FIR No. 89, dated 27.03.2016, under Sections 452, 323, 506, 148 and 149 IPC, registered at Police Station A Division, Amritsar and all subsequent proceedings arising out of the same are quashed qua petitioners No.1 and 2 (Karanbir Singh and Gurpreet Singh) only.

AUGUST 12, 2016
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(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No