

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-16875 of 2016

Date of decision:- December 16, 2016

SURJIT SINGH KHALASTANI

...PETITIONER...

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Rajesh Bhateja, Advocate,
for the petitioner.

Mr. RPS Sidhu, AAG, Punjab.

Mr. Kulbhushan Soi, 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.27, dated 26.03.2016, under Sections 353, 186, 427, 506, 148, 149 and Section 25/27 of the Arms Act, Police Station Kot Isah Khan, District Moga (Annexure P-1), along with all subsequent proceedings arising out of the same, on the basis of affidavit dated 20.04.2016 (Annexure P-2).

2. In compliance of order dated August 11, 2016, report of learned Judicial Magistrate has been received, in which, it has been categorically observed that both the parties out of their free will and consent have

compromised the matter and resolved the dispute. Compromise effected

between the parties is voluntary, without any coercion or influence and is genuine one. 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.27, dated 26.03.2016, under Sections 353, 186, 427, 506, 148, 149 IPC and Section 25/27 of the Arms Act, Police Station Kot Isah Khan, District Moga, and all other consequential proceedings arising therefrom are quashed qua the petitioner.

December 16, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No