

**277 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.17399 of 2016 (O&M)

Date of decision: August 10, 2016

Lakhwinder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Kawaljyot Singh, Advocate
for the petitioner.

Mr. A.S. Sidhu, AAG, Punjab
for respondent No.1-State.

Mr. Vinay Begra, Advocate
for respondents No.2 and 3.

JASPAL SINGH, J.(ORAL)

This is a petition under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.40 dated 07.05.2014, under Sections 279, 337, 338 and 427 of Indian Penal Code as well as judgment of conviction dated 28.01.2016 under Sections 279, 337 and 338 of IPC passed by learned Judicial Magistrate Ist Class, Jalandhar registered at Police Station Bhogpur, Tehsil and District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise dated 16.04.2016 (Annexure P-3) alleged to have been arrived at in between the parties.

2. Report of learned trial Court has been received, wherein, it has been categorically observed that the statements of both the parties are genuine and not the result of any pressure or coercion in any manner.

Compromise entered into between the parties is valid. Even otherwise, matter involved in these proceedings is personal in nature, which has been amicably put at rest.

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.40 dated 07.05.2014, under Sections 279, 337, 338 and 427 of Indian Penal Code as well as judgment of conviction dated 28.01.2016 under Sections 279, 337 and 338 of IPC passed by learned Judicial Magistrate Ist Class, Jalandhar registered at Police Station Bhogpur, Tehsil and District Jalandhar and all subsequent proceedings arising out of the same are quashed qua petitioner.

August 10, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No