

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SR. No.263

CRM NO. M-16777 of 2015 (O&M)
DECIDED ON : DECEMBER 22, 2016

ARJAN AND OTHERS

....PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

....RESPONDENTS

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Satnam Singh Gill, Advocate,
for the petitioners.

Mr. B.S. Cheema, Deputy Advocate General, Punjab.

Mr. Anil Kumar Spehia, Advocate,
for respondent No.2-complainant.

JASPAL SINGH, J. (ORAL)

This is a petition under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 68, dated April 19, 2015, under Section 377 IPC, registered at Police Station Civil Lines, Patiala, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise dated April 20, 2015 (Annexure P-2).

2 Report of learned trial Court has been received, wherein, it has been categorically observed that the matter has been compromised between the parties

with the intervention of respectables, without any pressure, coercion, with our free will, undue influence and the same appears to be genuine. In this case, alleged convict Mandeep Singh s/o Sukhdev Singh is major and more than 19 years old, whereas all the accused-petitioners are minor. The compromise has been effected all the petitioners and have been recorded through their respective guardians. 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. 68, dated April 19, 2015, under Section 377 IPC, registered at Police Station Civil Lines, Patiala, District Patiala (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioner.

DECEMBER 22, 2016

Ankur

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No