

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

**CRM-M No.19381 of 2016 (O&M)
Date of decision: September 16, 2016**

Rajesh Kaushal

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Baldev S. Sodhi, Advocate
 for the petitioner.

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

 Ms. Riffi Bala Birla, Advocate
 for respondent No.2.

JASPAL SINGH, J.(ORAL)

1. This is a petition under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.32 dated 19.02.2016, under Sections 279, 337, 338, 427 of IPC registered at Police Station Gobindgarh Mandi, District Fatehgarh Sahib, and all subsequent proceedings arising therefrom, on the basis of compromise dated 17.03.2016 (Annexure P-3).

2. Vide order dated May 31, 2016, parties were directed to appear before the trial Court for getting their statements recorded. In compliance thereof, statements of accused Rajesh Kaushal and Princepal Singh who is son of respondent No.2 have been recorded as his father i.e. respondent No.2, has been died on 25.04.2016. Report of the trial Court has been received, wherein, it has been categorically observed that the matter has been compromised between the parties voluntarily and without any pressure, threat or coercion.

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 & Anr. 2007(3) RCR (Criminal) 1052*** and ***Narinder Singh and Ors. vs. State of Punjab & Anr., (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.32 dated 19.02.2016, under Sections 279, 337, 338, 427 of IPC registered at Police Station Gobindgarh Mandi, District Fatehgarh Sahib, and all subsequent proceedings arising therefrom, are quashed qua the petitioner.

September 16, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No