

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

CRM-M No.19648 of 2016

Date of decision: October 21, 2016

Surmukh Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. C.S. Bagri, Advocate
for the petitioners.

Mr. J.S. Sekhon, AAG, Punjab
for respondent No.1-State.

Mr. Anilendra Pandey, Advocate
for respondents No.2 and 3.

JASPAL SINGH, J.(ORAL)

1. This is a petition under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.21 dated 22.01.2011, under Sections 307, 392, 328, 506, 148, 149 of IPC (Section 34 IPC added later on) and Section 25 of Arms Act, registered at Police Station Samrala, District Khanna, and all subsequent proceedings arising therefrom, on the basis of compromise dated 03.02.2011 (Annexure P-2) and cancellation report dated 26.11.2011 as offences under Sections 307, 392, 148, 149 IPC and Section 25 of Arms Act had been subtracted during investigation.

2. Vide order dated September 01, 2016, parties were directed to appear before the trial Court/Illaq Magistrate, for getting their statements recorded. In compliance thereof, report of the trial Court/Illaq Magistrate 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.21 dated 22.01.2011, under Sections 307, 392, 328, 506, 148, 149 of IPC (Section 34 IPC added later on) and Section 25 of Arms Act, registered at Police Station Samrala, District Khanna, and all subsequent proceedings arising therefrom, are quashed qua the petitioners.

October 21, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No