

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-21409 of 2014

Date of decision : March 21, 2016

Kamal Sabarwal and another

....Petitioners

versus

State of Punjab and another

....Respondents

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Harkaran Singh, Advocate, for the petitioners
Mr. Jasjeet Dhaliwal, DAG, Punjab, for the respondent no. 1
None for respondent no. 2

Fateh Deep Singh, J. (Oral)

Report dated 14.1.2015 of learned Sub Divisional Judicial Magistrate, Garhshankar has been received after recording statements of accused/petitioner no. 1-Kamal Sabarwal as well as complainant Om Parkash and the learned court has shown its satisfaction that the compromise is an outcome of voluntariness, free will and without any coercion or undue pressure. In the light of the satisfaction shown by the Court and in view of the fact that compromise will go a long way in resolving the personal dispute and to bring about personal harmony being pure money dispute and more-so the offences for which the accused have been booked are not of very serious nature and in view of the law laid down in **Gian Singh vs State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others vs State of Punjab and another, 2007(3) RCR (Criminal) 1052** and in view of which the prayer made in the petition is allowed, proceedings by way of FIR No. 38 dated 23.4.2013

registered at Police Station Garhshankar, District Hoshiarpur under section 420 IPC and all consequences arising thereof are quashed, qua petitioner no. 1 only and petition qua petitioner no. 2 stands dismissed as he failed to make statement before the trial court.

The petition stands disposed of in those terms.

March 21, 2016
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(Fateh Deep Singh)
Judge