

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.274

CRM No.M-2233 of 2016

Date of decision : April 21, 2016

Balwinder Kumar

...Petitioner...

versus

Darshan Singh and another

...Respondents...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

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

Ms. Deepa Jain, Advocate for
Mr. Deepak Chaudhary, Advocate,
for respondent No.1.

Mr. Luvinder Sofat, Assistant Advocate General,
Punjab, for respondent No.2.

JASPAL SINGH, J.

This petition has been preferred under Section 482 of the Code of Criminal Procedure for quashing of complaint No. 36 dated August 28, 2004 (**Annexure P-1**) captioned as “Darshan Singh v. Som Nath & others” under Section 500, 120-B IPC, pending in the Court of learned SDJM, Garhshankar as well summoning order dated November 19, 2007 (**Annexure P-2**) and order dated August 04, 2008 (Annexure P-3) whereby, petitioner was declared as proclaimed offender and all consequential proceedings arising out of the same

on the basis of compromise dated November 24, 2015 (**Annexure P-6**).

2. In compliance of order dated February 04, 2016, statement of the parties have been recorded by the trial Court. Report of learned Sub Divisional Judicial Magistrate, Garhshankar, has been received, in which, it has been categorically observed that the matter has been compromised between the parties without any pressure, coercion and the same appears to be genuine. Even otherwise, matter involved is personal in nature, which has been amicably put at rest.

3. In view of the above, 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 their benefit and will bring peace and harmony between them.

4. Consequently, instant petition stands allowed and complaint No. 36 dated August 28, 2004 (**Annexure P-1**) captioned as “Darshan Singh v. Som Nath & others” under Section 500, 120-B IPC, pending in the Court of learned SDJM, Garhshankar as well summoning order dated November 19, 2007 (**Annexure P-2**) and order dated August 04, 2008 (Annexure P-3) and all other subsequent proceedings arising therefrom are quashed qua the petitioner.

April 21, 2016

Ankur

**(JASPAL SINGH)
JUDGE**