

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

CRM-M No.25622 of 2016

Date of decision: December 15, 2016

Yamish Bhatia

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. V.K. Sandhir, Advocate
for the petitioner.

Mr. Neeraj Sharma, AAG, Punjab
for respondent No.1-State.

Mr. Kushagara Mahajan, 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.48 dated 25.03.2015, under Sections 364A, 452, 323, 506 of IPC, registered at Police Station Sadar Amritsar, and all subsequent proceedings arising therefrom, on the basis of compromise Annexure P-2.

2. Vide order dated November 16, 2016, parties were directed to appear before the Jurisdictional Magistrate/trial Court, for getting their statements recorded. In compliance thereof, report of the Jurisdictional Magistrate/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.48 dated 25.03.2015, under Sections 364A, 452, 323, 506 of IPC, registered at Police Station Sadar Amritsar, and all subsequent proceedings arising therefrom, are quashed qua the petitioner.

December 15, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No