

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-25655 of 2016

Date of decision:- December 06, 2016

MANINDERJIT AND OTHERS

...PETITIONERS...

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. S.S. Narula, Advocate
for the petitioners.

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

Mr. G.S. Benipal, Advocate,
for respondent No.2.

JASPAL SINGH, J.

Instant petition has been preferred under Section 482 of the Code of Criminal Procedure for quashing of complaint/protest petition No.614 dated 23.11.2003 in case FIR No. 65, dated 24.03.2000, under Sectionsn 406, 420, 467, 468 and 471 IPC, Police Station Division No.6, Ludhiana as well as order dated 07.06.2014 passed by the Judicial Magistrate Ist Class Ludhiana summoning the petitioner for offences under Sections 420, 406, 467, 468 and 471 IPC along with all subsequent proceedings arising therefrom on the basis of compromise deed dated 22.07.2016 (Annexure P-3).

2. However, in compliance of order dated August 30, 2016, report of learned Judicial Magistrate has been received, in which, it has been

categorically observed that parties of the present case compromised the matter with their free will and without any pressure and influence. So this compromise between the parties appears to be genuine, volunteer and valid. Even otherwise, the matter involved is personal in nature, which has been amicably put at rest.

3. Proceedings stood abated against respondent No.2-GD Kumar, who has been taken away by the nature as is evident from death certificate annexed with the report.

4. So, in view of above circumstances and in view of the pronouncement captioned as “Kulwinder Singh & others v. State of Punjab & others; 2007 (3) RCR (Criminal) 1052, 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.

5. Consequently, the instant petition stands allowed and complaint/protest petition No.614, dated 23.11.2003, in case FIR No. 65, dated 24.03.2000, under Sections 406, 420, 467, 468 and 471 IPC, Police Station Division No.6, Ludhiana as well as order dated 07.06.2014 alongwith all other consequential proceedings arising thereof, are quashed.

December 06, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/ No

Whether reportable: Yes/No