

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.249-a

CRM NO. M-25086 of 2014
DECIDED ON : MAY 24, 2016

SARAJ AND OTHERS

....PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present : Mr. Vishal Munjal, Advocate,
for the petitioners.

Mr. A.S. Sidhu, AAG, Punjab.

Mr. Sunil Agnihotri, Advocate,
for respondents No.2 to 4.

JASPAL SINGH, J. (ORAL)

This is a petition under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 23, dated March 26, 2011, under Sections 324, 323, 148 & 149 IPC, Police Station Dasuya, District Hoshiarpur, registered in cross case by way of Rapat No.41, dated March 26, 2011 (Annexure P-1 & P-2) and all subsequent proceedings arising therefrom, on the basis of compromise dated March 08, 2014 (Annexure P-3).

2 Report of learned trial Court has been received, wherein, it has been categorically observed that the matter has been compromised between the parties with the intervention of respectables, with their own will, without any pressure, threat, coercion and the same appears to be genuine. Even otherwise, matter involved in these proceedings is personal in nature, which has been amicably put at rest. It has also been mentioned in the report that accused Ravi s/o John Stephen has gone abroad and there are no chances of his return to India in the near future, although as per complainants' statement he has compromised with all accused.

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 and another***; 2007(3) RCR (Criminal) 1052 and ***Narinder Singh and Others Vs. State of Punjab and Another (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. 23, dated March 26, 2011, under Sections 324, 323, 148 & 149 IPC, Police Station Dasuya, District Hoshiarpur, registered in cross case by way of Rapat No.41, dated March 26, 2011 (Annexure P-1 & P-2) and all subsequent proceedings arising out of the same are quashed qua petitioners.

MAY 24, 2016
Ankur

(JASPAL SINGH)
JUDGE