

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

CRM-M No.29671 of 2015

Date of decision: August 30, 2016

Baljit Kaur and another

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Gagandeep S. Simble, Advocate
for the petitioners.

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

Mr. J.S. Mehal, Advocate for
Mr. Paramjit Singh Brar, Advocate
for respondents No.2 and 3.

JASPAL SINGH, J.(ORAL)

This is a petition under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.113 dated 22.08.2006, under Section 420 of Indian Penal Code registered at Police Station Qadian, Police District Batala, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise dated 03.06.2015 by way of affidavits (Annexures P-2 and P-3) alleged to have been arrived at in between the parties.

2. Report of learned Magistrate has been received, wherein, it has been categorically observed that the statements of both the parties are genuine and not the result of any pressure or coercion in any manner. Compromise entered into between the parties is valid. Even otherwise, matter involved in these proceedings is personal in nature, which has been amicably put at

rest. Report further reveals that petitioners have already been convicted by the trial Court, and appeal against their conviction is pending in the Court of Additional Sessions Judge, Gurdaspur.

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. Accordingly, instant petition stands allowed and FIR No.113 dated 22.08.2006, under Section 420 of Indian Penal Code registered at Police Station Qadian, Police District Batala, District Gurdaspur and all subsequent proceedings arising out of the same are quashed qua petitioners. Consequently, conviction of petitioners is also set aside, and are acquitted of the charge.

August 30, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No