

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-34376 of 2016

Date of decision:- November 29, 2016

PRITAM SINGH AND OTHERS

...PETITIONERS...

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. P.S. Punia, Advocate,
for the petitioners.

Mr. B.S. Cheema, DAG, Punjab.

Ms. Rahish Pahwa, Advocate,
for respondent No.2.

JASPAL SINGH, J.

Instant petition has been preferred under Section 482 of the Code of Criminal Procedure seeking quashing of complaint No. 17/1 dated 28.02.2006 and now Sessions Case No. 33 of 20.03.2013 (after commitment in the Court of Sessions), under Sections 323, 324, 327, 380, 392, 395, 452, 454, 455, 457, 458, 506 read with Section 149 IPC and summoning order (Annexure P-2) and all subsequent proceedings arising out of the same , on the basis of compromise.

2. In compliance of order dated September 27, 2016, report of learned Judicial Magistrate has been received, in which, it has been categorically observed that the statements have been made voluntarily,

without any pressure, undue influence, threat, promise etc. Compromise is genuine. Even otherwise, the matter involved is personal in nature, which has been amicably put at rest. Compromise is the soul of justice, which not only enhances the social amity, harmony and peace but also reduces friction and discord.

3. So, in view of above circumstances, 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, the instant petition stands allowed and complaint No. 17/1 dated 28.02.2006 and now Sessions Case No. 33 of 20.03.2013 (after commitment in the Court of Sessions), under Sections 323, 324, 327, 380, 392, 395, 452, 454, 455, 457, 458, 506 read with Section 149 IPC and summoning order (Annexure P-2), as well as all other consequential proceedings arising therefrom are quashed qua the petitioners.

November 29, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No