

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

CRM-M No.33884 of 2015

Date of decision: September 26, 2016

Sukhjit Singh @ Pappi and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Amandeep Chhabra, Advocate for
 Mr. Lajpat Sharma, Advocate
 for the petitioners.

 Mr. J.S. Sekhon, AAG, Punjab
 for respondent No.1-State.

 None for respondents No.2 and 3.

JASPAL SINGH, J.(ORAL)

1. This is a petition under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.56 dated 19.05.2008, under Sections 452, 324, 427, 323, 148, 149 of IPC, charges framed under Sections 324, 323, 148, 149 of IPC, registered at Police Station City Fazilka, District Fazilka and judgment of conviction and order of sentence dated 05.11.2014 passed by learned Judicial Magistrate 1st Class, Fazilka, and all subsequent proceedings arising therefrom, on the basis of compromise dated 17.08.2015 (Annexure P-3).

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 there is no other case against the petitioners except the present case which is pending in the Court of Judicial Magistrate Ist Class, Fazilka.

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.56 dated 19.05.2008, under Sections 452, 324, 427, 323, 148, 149 of IPC, charges framed under Sections 324, 323, 148, 149 of IPC, registered at Police Station City Fazilka, District Fazilka, and all subsequent proceedings arising therefrom, are quashed qua the petitioners. Consequently, conviction of petitioners is also *set aside*, and are acquitted of the charge.

September 26, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No