

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-36081 of 2016

Date of decision:- November 28, 2016

GURDARSHAN SINGH AND OTHERS ...PETITIONERS...

VERSUS

STATE OF PUNJAB AND ANOTHER ...RESPONDENTS...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Jagpal Singh, Advocate,
 for the petitioners.

Mr. P.S. Paul, DAG, Punjab.

Mr. Amandeep Singh, 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 FIR No.86, dated 03.09.2016, under Sections 307, 379, 341, 323, 506, 427, 148 and 149 IPC, Police Station Sadar Barnala, Tehsil and District Barnala (Annexure P-1), along with all consequential proceedings arising out of the same, on the basis of compromise deed dated 22.09.2016 (Annexure P-2).

2. In compliance of order dated October 06, 2016, report of learned Judicial Magistrate has been received, in which, it has been categorically observed that the present compromise is the result of free consent and the same is a valid one. 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 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.

4. Consequently, the instant petition stands allowed and FIR No.86, dated 03.09.2016, under Sections 307, 379, 341, 323, 506, 427, 148 and 149 IPC, Police Station Sadar Barnala, Tehsil and District Barnala, and all other consequential proceedings arising therefrom are quashed qua the petitioners.

November 28, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No