

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-36084 of 2016

Date of decision:- December 08, 2016

PRITPAL SINGH

...PETITIONER...

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. L.S. Sidhu, Advocate,
for the petitioner.

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

Mr. H.S. Kohli, 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.89, dated 28.10.2015, under Sections 420, 465, 467, 468 and 120-B IPC, Police Station City 2 Mansa, District Mansa (Annexure P-1), challan report dated 16.12.2015 (Annexure P-2) and order dated 03.03.2016 (Annexure P-3) along with all subsequent proceedings arising out of the same, on the basis of compromise deed dated 01.10.2016 (Annexure P-5).

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 compromise effected between the complainant

and accused seems to be genuine, voluntary and out of their free will. 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.89, dated 28.10.2015, under Sections 420, 465, 467, 468 and 120-B IPC, Police Station City 2 Mansa, District Mansa (Annexure P-1), challan report dated 16.12.2015 (Annexure P-2) and order dated 03.03.2016, and all other consequential proceedings arising therefrom are quashed qua the petitioner.

December 08, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No