

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

CRM-M No.3897 of 2016

Date of decision: September 15, 2016

Balwinder Singh @ Pappu

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Divjyot S. Sandhu, Advocate
for the petitioner.

Mr. B.S. Cheema, DAG, Punjab
for respondent No.1-State.

Mr. Jagjit Singh, Advocate
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.46 dated 14.05.2014, under Sections 323, 324, 452, 295 and 34 of IPC registered at Police Station Subhanpur, District Kapurthala, and all subsequent proceedings arising therefrom, on the basis of compromise dated 30.12.2015 (Annexure P-2).

2. Vide order dated July 28, 2016, parties were directed to appear before the trial Court/Illaq Magistrate, for getting their statements recorded. In compliance thereof, report of the trial Court/Illaq Magistrate has been received, wherein, it has been categorically observed that the matter has been compromised between the parties voluntarily and without any pressure, threat or coercion.

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 & Anr. 2007(3) RCR (Criminal) 1052 and Narinder Singh and Ors. vs. State of Punjab & Anr., (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. Consequently, instant petition stands allowed and FIR No.46 dated 14.05.2014, under Sections 323, 324, 452, 295 and 34 of IPC registered at Police Station Subhanpur, District Kapurthala, and all subsequent proceedings arising therefrom, are quashed qua the petitioner.

September 15, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No