

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-38313 of 2015

Date of decision:- May 31, 2016

Mohit Kumar

...Petitioner...

versus

State of Punjab and another

...Respondents...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. J.S. Khiva, Advocate
for the petitioner.

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

Mr. Satinder Pal Singh, Advocate for
Mr. Lakhwinder S. Sidhu, Advocate,
for respondent No.2-complainant.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

JASPAL SINGH, J.

Instant petition has been preferred under Section 482 of the Code of Criminal Procedure, for quashing of FIR No.8, dated 15.01.2015, under Sections 409 and 506 IPC, Police Station Sardulgarh, District Mansa (Annexure P-1), along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2).

2. In compliance of order dated April 25, 2016, report of learned Judicial Magistrate has been received, in which, it has been observed that

compromise Mark-X has been effected between the complainant Satpal and accused Mohit Kumar with their full consent and above compromise is genuine and is not the result of any pressure or coercion. 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.8, dated 15.01.2015, under Sections 409 and 506 IPC, Police Station Sardulgarh, District Mansa, and all other consequential proceedings arising therefrom are quashed qua the petitioner.

May 31, 2016
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(JASPAL SINGH)
JUDGE