

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-4302 of 2016
Date of decision:- April 28, 2016

Shri Chand

...Petitioner...

versus

State of Haryana and another

...Respondents...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Rajender Helwa, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana,
for respondent No.1-State.

None for respondent No.2.

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.

Through this petition preferred under Section 482 of the Code of Criminal Procedure, Shri Chand-petitioner has sought quashing of FIR No.363, dated 30.10.2012, under Sections 323, 325, 452 and 506 IPC, Police Station Pehowa, District Kurukshetra (Annexure P-1) along with all subsequent proceedings arising thereof, on the basis of compromise deed dated 30.01.2016 (Annexure P-2).

2. Report of learned Judicial Magistrate has been received,

in which, it has been categorically observed that petitioner and the respondent/complainant have effected the compromise voluntarily and without any pressure or coercion and the compromise arrived between the parties is genuine 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.363, dated 30.10.2012, under Sections 323, 325, 452 and 506 IPC, Police Station Pehowa, District Kurukshetra and all other consequential proceedings arising therefrom are quashed qua the petitioner.

April 28, 2016
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(JASPAL SINGH)
JUDGE