

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-4777 of 2016

Date of decision:- August 23, 2016

Sarabjit Singh and others

...Petitioners...

versus

State of Punjab and another

...Respondents...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

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

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

Mr. N.S. Dandiwal, Advocate,
for respondent No.2.

JASPAL SINGH, J.

Present petition has been preferred under Section 482 of the Code of Criminal Procedure, for quashing of FIR No.76, dated 03.12.2011, under Sections 323, 324/34 IPC, Police Station Dhilwan, District Kapurthala (Annexure P-1), along with all consequential proceedings arising therefrom, on the basis of compromise dated 13.12.2011 (Annexure P-2).

2. In compliance of order dated 11.07.2016, report of learned Judicial Magistrate has been received, in which, it has been observed that compromise has been reached in between the parties, voluntarily and without any pressure or coercion through the respectable of the locality.

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.76, dated 03.12.2011, under Sections 323, 324/34 IPC, Police Station Dhilwan, District Kapurthala, and all other consequential proceedings arising therefrom are quashed qua the petitioners.

August 23, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/ No