

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-6372 of 2016

Date of decision:- December 13, 2016

AMRIK SINGH AND OTHERS

...PETITIONERS..

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. PBS Goraya, Advocate,
for the petitioners.

Mr. RPS Sidhu, AAG, Punjab.

Ms. Amrita Verma, 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.166, dated 23.07.2004, under Sections 420, 467, 468, 471 and 120-B IPC, Police Station Majitha, District Amritsar along with all subsequent proceedings arising out of the same, on the basis of compromise.

2. It is pertinent to mention that earlier vide order dated 10.12.2011, the petitioners were convicted by Id. trial court and the said order was subsequently set aside by lower appellate Court and the case was remanded for denovo trial to the Magistrate concerned. During pendency thereof, parties compromised the matter with each other.

3. On May 04, 2016, parties were directed to appear before the trial court for recording their statements and in compliance thereof, report of learned Judicial Magistrate has been received, in which, it has been categorically observed that compromise arrived at between the parties is voluntary, without undue influence, pressure or coercion, being outcome of their free will and consent. 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.

4. 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.

5. Consequently, the instant petition stands allowed and FIR No.166, dated 23.07.2004, under Sections 420, 467, 468, 471 and 120-B IPC, Police Station Majitha, District Amritsar, and all other consequential proceedings arising therefrom are quashed qua the petitioners.

December 13, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No