

**Sr. No.225
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM No. M-19182 of 2016 (O&M)
Date of Decision: 09.01.2017**

Balkar Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Ms. Shallie Mahajan, Advocate for
Mr. Sharwan Sehgal, Advocate,
for the petitioners.

Mr. Ankur Jain, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.206 dated 28.07.2013, under Sections 323/379/427/148/149 of Indian Penal Code, registered at Police Station Jodhewal, Ludhiana.

Since quashing was sought on the basis of compromise, this Court while issuing notice of motion had directed the parties to appear before the trial Court for recording of their statements and a report with regard to veracity of the compromise was called for.

Placed on record is a report dated 15.11.2016 of the learned Chief Judicial Magistrate Ist Class, Ludhiana and a perusal of the same would reveal that the statements of the complainant, namely, Raghu Kiran Sharma as also of the injured Ashok Kumar have been duly recorded. Likewise statements of all the accused/petitioners herein have also been recorded and it has been opined that a compromise has been entered into

A Full Bench of this Court in **Kulwinder Singh and others Versus State of Punjab and another, 2007 (3) RCR (Criminal) 1052** has taken a view that in appropriate cases this Court in exercise of its powers under Section 482 Cr.P.C. can intervene and bring to an end the criminal prosecution in the light of compromise that may have been effected between the parties, even in relation to non-compoundable offences.

Adverting back to the facts of the present case, the parties have amicably resolved the dispute. In the light of the compromise having been effected between the parties, it would be a futile exercise for the criminal proceedings to continue as such. It would be construed as an abuse of the process of law as also of the Court.

For the reasons recorded above, the present petition is allowed. FIR No.206 dated 28.07.2013, under Sections 323/379/427/148/149 of Indian Penal Code, registered at Police Station Jodhewal, Ludhiana and all proceedings emanating therefrom stand quashed qua the present petitioners.

Petition is allowed in the aforesaid terms.

09.01.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No