

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM No.M-2161 of 2017 (O&M)
Date of decision: 28.03.2017**

Prem Singh & others

... Petitioners

Versus

State of Punjab & another

... Respondents

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

Present: Mr. Nitin Rampal, Advocate for the petitioners.

Mr. P.S. .Madahar, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.53, dated 01.03.2016, under Sections 379/447/341/506/323/148 IPC, registered at Police Station Sadar Ferozepur, District Ferozepur.

Since quashing was sought on the basis of compromise, this Court while issuing notice of motion on 23.01.2017 had directed the parties to appear before the trial Court on 22.02.2017 for recording of their statements in support of the compromise. A veracity report was also called for.

Placed on record is a report dated 07.03.2017 of the Id. Chief Judicial Magistrate, Ferozepur and a perusal thereof would reveal that statements of the complainant, Darshan Singh/respondent No.2 herein and the accused party/petitioners herein have been duly recorded and it has been opined that the compromise has been entered into voluntarily and without any inducement, threat or pressure.

This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a Full Bench decision of this Court in *Kulwinder Singh & others Vs. State of Punjab & others, 2007 (3) RCR (Criminal) 1052*.

Adverting back to the facts of the present case, complainant Darshan Singh is none other than the real brother of petitioner Nos.1 and 3. Even the other petitioners are close relatives of the complainant. Allegations were with regards to taking away certain seeds of onion and paneeri of chilly as also of 25 feet long plastic pipe from the land of the complainant and who had stated that the joint agricultural holding had otherwise been partitioned. Clearly, close relatives with the intervention of the respectables and elders have settled their dispute.

It would be a fit case to entertain the compromise. Continuation of prosecution inspite of the compromise would be nothing but an abuse of the process of law as also of the Court.

For the reasons recorded above, the present petition is allowed. FIR No.53, dated 01.03.2016, under Sections 379/447/341/506/323/148 IPC, registered at Police Station Sadar Ferozepur, District Ferozepur and all proceedings emanating therefrom are set aside.

Petition allowed in the aforesaid terms.

28.03.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |