

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

**CRM NO. M-41514 OF 2016(O&M)
DECIDED ON : 01.05.2017**

Harsharanpreet Kaur @ Shelly and others

...Petitioners

versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

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

Ms. Harpreet Kaur Athwal, DAG, Punjab.

TEJINDER SINGH DHINDSA, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 96 dated 12.11.2015 under Sections 447/380/506/120-B of the Indian Penal Code registered at Police Station Hariana, District Hoshiarpur (Annexure P-1).

Since quashing was sought on the basis of compromise, this Court, on 13.01.2017 had directed the parties to appear before the Illaqa Magistrate concerned to have their statements recorded in support of the compromise. The authenticity report, as regards genuineness of the compromise was also called for.

Placed on record is report dated 13.02.2017 of learned Judicial Magistrate Ist Class, Hoshiarpur and a perusal of the same would reveal that the statements of complainant Harpreet Kaur as well as the accused (petitioners herein), have been duly recorded and it has been opined that the compromise has been arrived at without any pressure or coercion.

It is, by now, well settled that in appropriate cases, this Court in exercise of power under Section 482 Cr.P.C would intervene to bring to an end criminal proceedings even in relation to offences, which are non-compoundable. A reference in this regard may be made to a Full Bench judgement of this Court rendered in case of **"Kulwinder Singh and others Vs. State of Punjab and another", 2007 (3) R.C.R (Criminal) 1052.**

Adverting back to the facts of the present case, complainant as also the accused, are related to each other. The allegations were pertaining to ancestral property. With the intervention of respectables, the parties have buried the hatchet. In the considered view of this Court, accepting the compromise in present case, would certainly promote peace and harmony among the members of the family.

Continuation of criminal prosecution in pursuance to the impugned FIR would be nothing but an abuse of process of the Court as well as of the law.

For the reasons recorded above, the present petition is allowed. FIR No. 96 dated 12.11.2015 under Sections 447/ 380/ 506/

120-B of the Indian Penal Code registered at Police Station Haryana,
District Hoshiarpur (Annexure P-1) and all proceedings emanating
therefrom are set-aside.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

MAY 01, 2017
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Whether speaking/reasoned :	YES/NO
Whether reportable :	YES/NO