

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

***CRM No.M-41999 of 2016 (O&M)  
Date of decision: 01.02.2017***

Sukhpal Singh @ Jaspal Singh & others

... Petitioners

Versus

State of Punjab & another

... Respondents

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

Present: Mr. Lakhwinder Singh, Advocate for  
Mr. P.S. Dhaliwal, Advocate for the petitioners.

Mr. Varun Sharma, AAG, Punjab.

Mr. Shaurya Puri, Advocate for the complainant.

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**TEJINDER SINGH DHINDSA, J. (ORAL).**

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.41 dated 25.05.2015, under Sections 452/324/323/120-B/34 IPC, registered at Police Station Tallewal, District Barnala on the basis of compromise, which is stated to have been entered into between the parties.

Since quashing was sought on the basis of compromise, this Court while issuing notice of motion on 23.11.2016 had directed the parties to appear before the trial Court/Illaq Magistrate for recording of their statements in support of the compromise.

Placed on record is a report dated 19.12.2016 of the Judicial Magistrate 1<sup>st</sup> Class, Barnala and a perusal thereof would reveal that the statements of the complainant and accused party have been duly recorded and it has been opined that the compromise has been arrived at without any pressure or coercion.

Even Mr. Shaurya Puri, Advocate representing the complainant/respondent No.2 states that he would have no objection to the quashing of FIR in the light of the compromise that had been arrived at.

It would be apposite to take note that the complainant/respondent No.2 and the accused party i.e. petitioners No.1 to 3 herein are close relatives. The dispute between the relatives was as regards leaving passage through the land. Furthermore, the settlement has been arrived at at the very initial stage of the trial.

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.***

In the facts of the present case, in the considered view of this Court, it would be a fit case for exercise power under Section 482 Cr.P.C. to bring to an end the criminal prosecution initiated in the light of the impugned FIR. The same would ensure peace and harmony amongst close relatives.

For the reasons recorded above, the present petition is allowed. FIR No.41 dated 25.05.2015, under Sections 452/324/323/120-B/34 IPC, registered at Police Station Tallewal, District Barnala and all proceedings emanating therefrom stand quashed.

Petition allowed in the aforesaid terms.

**01.02.2017**

*harjeet*

**(TEJINDER SINGH DHINDSA)  
JUDGE**

i) Whether speaking/reasoned? Yes

ii) Whether reportable? No