

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

Nitin
02.04.2018
I attest to the accuracy and
integrity of this document

(115)

Crl. Misc. No.M-48382 of 2017 (O&M)

Date of Decision: 25.04.2018

Harbhajan Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Pushpinder Kaushal, Advocate, for the petitioners.
Mr. J.S. Walia, Sr. DAG, Punjab.
Mr. Rajender Kumar, Advocate, for respondents no.2 to 5.

Amol Rattan Singh, J. (Oral)

Pursuant to the order dated 02.02.2018, the report of the learned appellate court (Additional Sessions Judge, Mohali) has been received, stating to the effect that the statements of the petitioners, Harbhajan Singh, Sarabjit Singh, Gurdeep Singh and Sukhwinder Singh, as also respondents no.2 to 5, Gurdeep Kumar, Davinder Kaur, Paramjit Kaur, and Harmandeep Kaur (with respondent no.2 being the complainant in the FIR), have been recorded, in respect of the compromise stated to have been reached between the parties. (A copy of the compromise deed is also annexed with the petition as Annexure P-2).

As per the assessment of that Court, the compromise arrived at between the parties is without any kind of undue influence or pressure.

That being so, even though the petitioners have been convicted for the commission of offences punishable under Sections 452 and 323 read

with Section 34 of the IPC, with the maximum sentence imposed being 2 years in respect of the offence punishable under Section 452/34 IPC, looking at the nature of the offences, with the matter having been amicably settled between the parties, in order to promote peace and harmony in the society, in my opinion, the petition deserves to be allowed.

Consequently, the petition is allowed and FIR No.41 dated 16.06.2012, registered at Police Station Phase-11, Mohali, alleging therein commission of offences punishable under Sections 452, 341, 323, 506, 427, 34 IPC, along with all proceedings emanating therefrom, including the judgment and order of the trial court dated 03.01.2017, is hereby quashed.

25.04.2018
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: Yes