

parties and submitted his report, the relevant para whereof reads as under:-

“From the statements made by the parties, this Court is satisfied that aforesaid statements have been made by complainant Jagdeep Singh, eye witnesses/injured Kamir Singh, Kuldeep Singh, Jaskaran Singh and Shivraj Singh and accused-petitioner are voluntarily, without any threat or any undue influence. As per record, none of the accused have been declared as proclaimed offender in the present case.”

After hearing learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise (Annexure P-4). The compromise is without any pressure and is a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

For the aforesaid view, this Court finds support from ***Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, upheld by Hon'ble Apex Court in ***Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303***.

Accordingly, the present petition is allowed and DDR No. 24 dated 24.07.2015 under Sections 324/323/148/149 IPC and DDR No.5 dated 02.08.2015, whereby offence under Section 326 of IPC was added in FIR No.111 dated 24.07.2015 registered at Police Station Lambi, District Sri Muktsar Sahib and all the consequential proceedings arising therefrom are quashed qua petitioners only.

22.01.2020

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No