

(2012) 12 P&H CK 0134

High Court Of Punjab And Haryana At Chandigarh

Case No: CRM M-35943 of 2012

Gurjinder Singh and
Others

APPELLANT

Vs

State of Punjab and
Another

RESPONDENT

Date of Decision: Dec. 11, 2012

Acts Referred:

- Penal Code, 1860 (IPC) - Section 323, 326, 34

Hon'ble Judges: Nawab Singh, J

Bench: Single Bench

Advocate: N.S. Dandiwal, for the Appellant; Abhishek Singh, AAG Punjab Complainant in person with Mr. I.S. Dhaliwal, for the Respondent

Final Decision: Allowed

Judgement

Nawab Singh, J.

Quashing of FIR No. 29 dated June 8th, 2012 under Sections 323 and 326 read with Section 34 IPC registered in Police Station Jhander, District Amritsar is sought on the ground of compromise. It has been urged that the parties have compromised the matter. They have tendered compromise-deed (Annexure P-2) on record and stated that there is no ill-will left and they want to live in peace and harmony in future. The offences are non-compoundable but there can not be any embargo in allowing the parties to compromise the matter in view of the law laid down by the Five Judge Bench's decision of this Court rendered in Kulwinder Singh & others Vs. State of Punjab and another, 2007 (3) RCR (Cri) 1052. Otherwise too, when the parties have compromised the matter, there is no chance of recording conviction against the accused and the entire exercise of trial is destined to be an exercise in futility which will serve no purpose.

2. In view of the above, the petition is accepted. The aforesaid FIR and the proceedings connected therewith are hereby quashed.