

(2012) 12 P&H CK 0135

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous No. M-30395 of 2012 (O and M)

Jaswant Singh @ Bitta and
Others

APPELLANT

Vs

State of Punjab and Another

RESPONDENT

Date of Decision: Dec. 11, 2012

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 482
- Penal Code, 1860 (IPC) - Section 323, 324, 326, 34

Hon'ble Judges: Ram Chand Gupta, J

Bench: Single Bench

Advocate: Veneet Sharma, for the Appellant; Deepak Garg, AAG, Punjab and Mr. Varinder Chhibber, Advocate, for the Respondent

Final Decision: Allowed

Judgement

Ram Chand Gupta, J.

The present petition has been filed u/s 482 of the Code of Criminal Procedure for quashing of FIR no. 65 dated 08.05.2008 under Sections 323/324/326/34 IPC, registered at police station Majitha, District Amritsar, Annexure P1, and all other consequential proceedings arising therefrom on the basis of compromise, Annexure P2, having been entered between the parties. I have heard learned counsel for the parties and have gone through the record.

2. It has been stated by learned counsel for the petitioners as well as by learned counsel for respondent no. 2 that parties belong to same village and that dispute between them has since been settled due to intervention of respectable persons of the village and relatives from both the sides.

3. Respondent No. 2 - complainant also appeared in person with his counsel and filed reply by way of affidavit admitting the factum of compromise and stating that he is having no objection if the FIR and consequential proceedings are quashed.

4. In appropriate cases FIR can be quashed on the basis of compromise by exercising power u/s 482 Cr.P.C., even if the offences are not compoundable. It was so held by Full Bench of this Court in the case of Kulwinder Singh v. State of Punjab, 2007(3) RCR (Crl.) 1052. Since the parties have amicably settled the matter and compromise has been effected between them due to intervention of the respectable persons and relatives from both the sides, in the interest of harmonious relations between the parties, who are residents of same village, the present petition is allowed and the impugned FIR no. 65 dated 08.05.2008 under Sections 323/324/326/34 IPC, registered at police station Majitha, District Amritsar, Annexure P1 alongwith all consequential proceedings qua petitioners -Jaswant Singh @Bitta, Amandeep Singh, Ravinder Singh @Raminder Singh and Jarnail Singh is, hereby, quashed.