

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

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Crl. Misc. No. M 10844 of 2014
Date of decision: 23.02.2015

Varinder Singh and others *Petitioners*
Versus
State of Punjab and another *Respondents*

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Ms Mandeep Kaur, Advocate for
Mr. Daljeet Singh Kahlon, Advocate
for the petitioner

Mr. Arshdeep S Klar, DAG, Punjab
for respondent No. 1

Mr. Arvind Kashyap, Advocate
for respondent No. 2

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1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'Cr.P.C.'), the petitioners have prayed for quashing of FIR No. 121 dated 30.08.2013 for offence punishable under Sections 452, 323, 427 read with Section 34 of the Indian Penal Code (in short, 'IPC') registered in Police Station Division No. 2, Pathankot Tehsil and District Pathankot and proceedings emanating therefrom on the basis of compromise dated 09.09.2013 (Annexure P-2) arrived at between the parties.

Vide order dated 25.07.2014, the parties were directed to

appear before the trial Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Pathankot wherein it has been reported that statements of the parties have been recorded and that they have voluntarily compromised the matter.

Counsel for the State does not dispute genuineness of the compromise in view of the report of trial Court.

A perusal of allegations in the FIR reveals that the present case squarely falls in that category of cases which can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view the authoritative enunciation of law laid down by Hon'ble the Supreme Court in '*Gian Singh v. State of Punjab and another*', 2012(4) *R.C.R. (Criminal)* 543 and in the light of facts and circumstances of the present case, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that criminal proceedings are put to an end.

In this view of the matter, the petition is allowed and FIR No. 121 dated 30.08.2013 for offence punishable under Sections 452, 323, 427 read with Section 34 IPC registered in Police Station Division No. 2, Pathankot Tehsil and District Pathankot and proceedings emanating therefrom stand quashed qua the petitioners.

(Rekha Mittal)
Judge

23.02.2015
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