

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

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Crl. Misc. No. M 11976 of 2014

Date of decision: 06.02.2015

Jasbir Singh and others

..... *Petitioners*

Versus

State of Punjab and another

.....*Respondents*

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. J S Khiva, Advocate for
R.P.S.Gill, Advocate
for the petitioners
Mr. P S Madahar, AAG, Punjab
for the State
None 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, the petitioners have prayed for quashing of FIR No. 205 dated 06.12.2012 for offence under sections 148, 149, 323 and 452 of the Indian Penal Code (in short, 'IPC') registered in Police Station Kurali, District Mohali and proceedings emanating therefrom on the basis of compromise dated 19.03.2014 (Annexure P-2) arrived at between the parties.

Counsel for the petitioners submits that the petitioners and the complainant/respondent No. 2 - Labh Singh are closely related to each other and they have amicably settled their dispute by way of compromise.

Complainant Labh Singh is the only person who sustained injury in the

occurrence.

Vide order dated 07.04.2014, 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 Additional Chief Judicial Magistrate, Ropar 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 of the Code. 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. 205 dated 06.12.2012 for offence under sections 148, 149, 323, 452 IPC registered in Police Station Kurali, District Mohali and proceedings emanating therefrom stand quashed qua the petitioners.

(Rekha Mittal)
Judge

06.02.2015

