

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-23210-2014

Date of decision : 21.02.2015

Harvir Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Ms.Poonam Josan, Advocate
for Mr.Rahul Sharma, Advocate
for the petitioner.

Mr.P.S.Madahar, AAG, Punjab.

Mr.Ramandeep Singh, Advocate
for respondents No.2 & 3.

REKHA MITTAL, J.(ORAL)

The petitioner has prayed for quashing of FIR No.94 dated 01.07.2013 under Sections 323, 354, 506 of the Indian Penal Code (in short “IPC”) registered in Police Station Sahnewal, District Ludhiana.

In the instant case, the FIR was registered on the statement of respondent No.2-complainant Kiranjit Kaur. Now the matter has been amicably settled between the parties.

Kiranjit Kaur and Prabhjot Kaur (complainant & injured) in person are present in Court. Affidavits of Kiranjit Kaur and Prabhjot Kaur filed in the Court are taken on record. Their joint statement was recorded in the Court and an extract therefrom is quoted thus:-

“FIR No.94 dated 01.07.2013 for offence under Sections 323, 354, 506 IPC was registered at the instance of Kiranjit Kaur (respondent No.1). In the said occurrence, Prabhjot Kaur (respondent No.2) also sustained injuries. Dispute between the parties, living in

*neighbourhood, has been settled by way of compromise.
We have got no objection if the aforesaid FIR and
proceedings emanating therefrom are ordered to be
quashed.”*

Counsel for the petitioner submits that as the parties have amicably settled their differences, no useful purpose would be served by continuation of the criminal proceedings.

Counsel for the State has not disputed correctness of the contention of the petitioner.

I have heard counsel for the parties and perused the records.

A perusal of allegations in the FIR reveals that the present case squarely falls in the 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 of India 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 view of what has been discussed hereinabove, the petition is allowed and FIR No.94 dated 01.07.2013 under Sections 323, 354, 506 IPC registered in Police Station Sahnewal, District Ludhiana and proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

(REKHA MITTAL)
JUDGE

February 21, 2015.

DK