

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-23714-2014

Date of decision : 27.02.2015

Bikram Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr.G.S.Sirphikhi, Advocate
for the petitioners.

Mr.Ankur Jain, AAG, Punjab.

Mr.Vishal Sodhi, Advocate
for respondents No.2 to 5.

REKHA MITTAL, J.(ORAL)

The petitioners have prayed for quashing of FIR No.50 dated 06.08.2013, for offence under Sections 452, 324, 323, 148, 149 of the Indian Penal Code (in short "IPC") registered in Police Station Ghanie Ke Bangar, Police District Batala on the basis of compromise dated 05.07.2014 (Annexure P2) effected between the parties.

Vide order dated 12.12.2014, the parties were directed to appear before the trial Court/Illaq Magistrate on 09.01.2015 to get their statements recorded with regard to genuineness of compromise.

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

Counsel for the petitioners submits that the complainant and

injured have been impleaded as respondents and all of them recorded their statements before the Judicial Magistrate conceding to the factum of the compromise effected between the parties.

Counsel for the State has not disputed correctness of assertions of the petitioners that the matter has been settled by way of compromise between the parties.

I have heard counsel for the parties and perused the case file.

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 this view of the matter, the petition is allowed and FIR No.50 dated 06.08.2013, for offence under Sections 452, 324, 323, 148, 149 IPC registered in Police Station Ghanie Ke Bangar, Police District Batala and proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

(REKHA MITTAL)
JUDGE

February 27, 2015.
DK