

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-23914-2014
Date of decision : 30.04.2015

Mithan Singh & ors.

..... Petitioners

Versus

State of Punjab & ors.

..... Respondents

CORAM : HON'BLE MRS.JUSTICE SNEH PRASHAR

Present : Mr. Amandeep Chhabra, Advocate
for the petitioners.

Mr. Ashish Sanghi, DAG, Punjab
for the respondent-State.

Mr. Anoop Singla, Advocate
for complainant-respondent No.2.

SNEH PRASHAR, J. (Oral)

1. Mr. Anoop Singla, Advocate has filed his memo of presence on behalf of complainant/respondent No.2.
2. Report of the Additional Civil Judge (Sr. Division)-cum-Sub Divisional Judicial Magistrate, Malout, after recording the statement of the complainant and the petitioners has been received.
3. Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short "Cr.P.C."), the petitioners pray for quashing of First Information Report No.121 dated 10.09.2013 for offence punishable under Sections 341/ 356/ 379/ 149 of the Indian Penal Code (in short "I.P.C.") registered at Police Station City Malout, District Sri Muktsar Sahib and subsequent proceedings emanating therefrom, on the basis of compromise (Annexure P-2).

4. Vide order dated 25.09.2014, 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 Additional Civil Judge (Sr. Division)-cum-Sub Divisional Judicial Magistrate, Malout, wherein it has been reported that statements of the parties have been recorded and that they have voluntarily compromised the matter. Learned counsel for the State does not dispute genuineness of the compromise in view of the report of trial Court.

5. A perusal of allegations in the First Information Report 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 and criminal proceedings are put to an end. In this view of the matter, the petition is allowed and First Information Report No.121 dated 10.09.2013 for offence punishable under Sections 341/ 356/ 379/ 149 of the Indian Penal Code registered at Police Station City Malout, District Sri Muktsar Sahib and proceedings emanating therefrom stand quashed qua the petitioners.

(SNEH PRASHAR)
JUDGE

April 30, 2015.
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