

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

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Crl. Misc. No. M 2971 of 2014

Date of decision: 20.01.2015

Jatinder Singh and anohter

..... Petitioners

Versus

State of Punjab and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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

Mr. P s Madahar, AAG Punjab

Mr. L S Bhullar, 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, 'the Code'), the petitioners have prayed for quashing of FIR No. 99 dated 17.04.2013 under Sections 450, 354, 506 read with Section 34 of the Indian Penal Code (in short, 'IPC') registered in Police Station Mandi Gobindgarh, District Fatehgarh Sahib and proceedings emanating therefrom on the basis of compromise dated 27.05.2013 (Annexure P-2) arrived at between the parties.

Counsel for the petitioners contends that the allegations raised

in said FIR in regard to offence punishable under Section 354 IPC are vague.

In the present case, the aforesaid FIR was registered on the statement of Manapreet Kaur daughter of Dalvir Singh. Now, dispute between the parties has been resolved by way of compromise (Annexure P2).

Vide order dated 03.03.2014, 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 Sub Divisional Judicial Magistrate, Amloh 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 and counsel for respondent No. 2 have 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. 99 dated 17.04.2013 under Sections 354, 450, 506 read with Section 34 IPC registered in Police Station Mandi Gobindgarh, District Fatehgarh Sahib and proceedings emanating therefrom stand quashed qua the petitioners.

(Rekha Mittal)
Judge

20.01.2015
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