

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

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Crl. Misc. No. M 31286 of 2014

Date of decision: 06.02.2015

Arwinder Singh alias Vicky
Versus

..... Petitioner

State of Punjab and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. G S Sidhu, Advocate
for the petitioner
Mr. P S Madahar, AAG, Punjab
for the State
Mr. Ravinder Sharma, 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, the petitioner has prayed for quashing of FIR No. 228 dated 02.11.2013 for offence under sections 323 and 324 of the Indian Penal Code (in short, 'IPC') registered in Police Station Talwandi Sabo, District Bathinda and proceedings emanating therefrom on the basis of compromise dated 29.08.2014 (Annexure P-2) arrived at between the parties.

Counsel for the petitioner submits that only Jarnail Singh son of Sajjan Singh, respondent No. 2/complainant sustained injury in the occurrence. It is further submitted that the petitioner and respondent No. 2 are closely related to each other and have settled the dispute amicably with an intention to bury the hatchet and forget their past.

Vide order dated 20.11.2014, 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, Talwandi Sabo 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 respondent No. 2 have not disputed 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. 228 dated 02.11.2013 for offence under sections 323 and 324 IPC registered in Police Station Talwandi Sabo, District Bathinda and proceedings emanating therefrom stand quashed qua the petitioner.

(Rekha Mittal)
Judge

06.02.2015
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