

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

245/1

CRM-M-32868-2014.

Date of Decision: 20.04.2015.

Mohan Singh and others

....Petitioners.

VERSUS

State of Punjab and another

...Respondents.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. Amandip Kaur, Advocate for the petitioners.

Mr. A.S. Kalar, Assistant Advocate General, Punjab.

Mr. J.B.S. Gill, Advocate for respondent no.2.

Sneh Prashar, J. (Oral)

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 cross version contained in Complaint No.3 dated 01.02.2008/ 25.03.2013 titled as “Paramjit Singh alias Rana vs. Mohan Singh and others” for offence punishable under Sections 323, 324, 326 and 452 read with Section 34 of the Indian Penal Code (in short “I.P.C.”) pending in the Court of Smt. Suman Agnihotri, Judicial Magistrate Ist Class, Hoshiarpur and subsequent proceedings emanating therefrom, on the basis of compromise (Annexure P2) arising out of First Information Report No.57 dated 01.07.2007 registered at Police Station Bullowal.

2. Vide order dated 23.09.2014, 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 Judicial Magistrate Ist Class, Hoshiarpur, 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.

3. 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 that criminal proceedings are put to an end. In this view of the matter, the petition is allowed and cross version contained in Complaint No.3 dated 01.02.2008/ 25.03.2013 titled as "Paramjit Singh alias Rana vs. Mohan Singh and others" for offence punishable under Sections 323, 324, 326 and 452 read with Section 34 I.P.C. pending in the Court of Smt. Suman Agnihotri, Judicial Magistrate Ist Class, Hoshiarpur and subsequent proceedings emanating therefrom arising out of First Information Report No.57 dated 01.07.2007 registered at Police Station Bullowal stand quashed qua the petitioners.

(SNEH PRASHAR)
JUDGE

April 20, 2015.

jitender