

In the High Court of Punjab and Haryana at Chandigarh

Date of Decision: 26.02.2015

CRM-M-35761 of 2013

Puran Singh and others

---Petitioners

versus

State of Punjab and others

---Respondents

CRM-M-36541 of 2013

Rohit Kumar and others

---Petitioners

versus

State of Punjab and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. R.K.Dadwal, Advocate
for the petitioners(in CRM-M- 35761 of 2013)
for private respondents (in CRM-M-36541 of 2013)
Ms. Neha Jain, Advocate
for the petitioners (in CRM-M-36541 of 2013)
for private respondents (in CRM-M- 35761 of 2013)
Mr. Ankur Jain, AAG, Punjab
for the respondent-State

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.

By way of this order, I shall dispose of CRM-M- 35761 of 2013
and CRM-M- 36541 of 2013 as these cases are of version and cross version.

Through the present petitions filed under Section 482 of the

Code of Criminal Procedure (in short, 'Cr.P.C. '), the petitioners pray for quashing of FIR No. 110 dated 26.8.2013 for offence punishable under Sections 323, 324, 148, 149 of the Indian Penal Code (in short "IPC") and cross version recorded vide DDR No. 16-A dated 28.8.2013 for offence under Sections 324, 148, 149 IPC registered at Police Station, Mukerian, district Hoshiarpur on the basis of compromise dated 4.10.2013(Annexure P-3) and proceedings emanating therefrom.

Vide order dated 22.11.2013, the parties were directed to appear before the trial Court/Illaq Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by Sub Divisional Judicial Magistrate, Mukerian, 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 does 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 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 petitions are allowed and FIR No. 110 dated 26.8.2013 for offence punishable under Sections 323, 324, 148, 149 IPC and cross version recorded vide DDR No. 16-A dated 28.8.2013 for offence under Sections 324, 148, 149 IPC registered at Police Station, Mukerian, District Hoshiarpur and proceedings emanating therefrom stand quashed qua the petitioners.

(REKHA MITTAL)
JUDGE

26.02.2015

PARAMJIT