

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

241

CRM-M-38608-2014

Date of Decision: 23.03.2015.

Sher Chand and Others

... Petitioners.

Versus

State of Punjab and others

... Respondents.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. Peeush Gagneja, Advocate
for the petitioners.

Mr. A.S. Kalar, AAG, Punjab.

Mr. Harpal Singh, Advocate
for respondents No. 2-5.

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 First Information Report No. 147 dated 20.05.2009 for offence punishable under Sections 452/506/323/34 of the Indian Penal Code (in short "I.P.C.") registered at Police Station City Abohar, District Ferozepur, now District Fazilka and subsequent proceedings emanating therefrom, on the basis of compromise (Annexure P-3).

2. Vide order dated 02.02.2015, 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 Sub Divisional Judicial Magistrate, Abohar,

stating therein 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 First Information Report No. 147 dated 20.05.2009 for offence punishable under Sections 452/506/323/34 of the Indian Penal Code (in short "I.P.C.") registered at Police Station City Abohar, District Ferozepur, now District Fazilka and proceedings emanating therefrom stand quashed qua the petitioners.

(SNEH PRASHAR)
JUDGE

March 23, 2015
Sarita-I