

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

CRM-M-40973 of 2014
Date of Decision: 23.07.2015

Malkit Singh and otherspetitioners

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. Madan Sandhu, Advocate
for the petitioners.

Mr. A.S. Klar, AAG. Punjab.

Mr. K.S. Saini, Advocate
for respondent No.2.

SNEH PRASHAR, J.

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.128 dated 30.09.2009 for offence punishable under Sections 452, 447, 427, 506, 147 and 149 of the Indian Penal Code (in short "I.P.C.") registered at Police Station Amloh, District Fatehgarh Sahib and subsequent proceedings emanating therefrom, on the basis of compromise (Annexure P2).

Reply in the shape of affidavit of Manpreet Singh, PPS, Deputy Superintendent of Police, Sub Division Amloh, has been filed by learned State counsel in Court today and the same is taken on record.

It is mentioned in the para No.7 of the reply that accused Balbir Singh and Harnek Singh have already expired.

Vide order dated 12.02.2015, 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 Judicial Magistrate First Class, Amloh, 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.

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.128 dated 30.09.2009 for offence punishable under Sections 452, 447, 427, 506, 147 and 149 IPC registered at Police Station Amloh, District Fatehgarh Sahib and proceedings emanating therefrom stand quashed qua the petitioners.

July 23, 2015
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(SNEH PRASHAR)
JUDGE