

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

-.-

Crl. Misc. No. M 42949 of 2014

Date of decision: 16.01.2015

Prabhjot Singh alias Prabjit Singh and others

..... Petitioners

Versus

State of Punjab and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Sarbjit Singh, Advocate
for the petitioners

Mr. Sandeep Kumar Bansal, AAG, Punjab
for the respondent – State

Mr. Arun Abrol, Advocate
for respondents No. 2 and 3

-.-

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 (in short, 'the Code'), the petitioners have prayed for quashing of FIR No. 86 dated 17.05.2012 for offence punishable under Sections 323, 341, 506, 148 and 149 of the Indian Penal Code (in short, 'IPC') registered at Police Station Jandiala Guru, Amritsar, District Amritsar and proceedings emanating therefrom on the basis of compromise arrived at between the parties.

In the present case, aforesaid FIR was got registered at the

behest of injured/respondent No.2-Harjot Singh alias Jotu and respondent No. 3- Gagandeep Singh also sustained injury in the said occurrence. Now, with the intervention of the respectable persons, the matter has been amicably settled between the petitioners and both the injured victims in view of compromise arrived at between the parties. To that effect, the injured victims namely Harjot Singh alias Jotu and Gagandeep Singh, present in Court along with their counsel have also got recorded their statement, which reads as follows:-

“FIR No. 86 dated 17.05.2012 for offence punishable under Sections 323, 341, 506, 148, 149 of the Indian Penal Code was registered in Police Station Jandiala Guru, Amritsar, District Amritsar on the statement of Harjot Singh alias Jotu, in which we both received injuries. All the petitioners have been attending to the proceedings in the pending trial. Dispute between the parties has been settled by way of compromise (Annexure P4). We have filed our affidavits in the Court, which may be read as part of our statement. We have no objection if the aforesaid FIR and proceedings emanating therefrom are ordered to be quashed on the basis of compromise.”

From the above statement, it transpires that dispute between the parties has been settled by way of compromise (Annexure P4).

Counsel for the State and counsel for respondents No. 2 and 3 have not disputed genuineness of the compromise arrived at between the parties in view of the statement got recorded by the injured victims in Court.

A perusal of the allegations of the FIR in the instant case 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. 86 dated 17.05.2012 for offence punishable under Sections 323, 341, 506, 148, 149 IPC registered at Police Station Jandiala Guru, Amritsar, District Amritsar and proceedings emanating therefrom stand quashed qua the petitioners.

(Rekha Mittal)
Judge

16.01.2015
mohan