

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

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CRM-M-5740-2014.

Date of Decision: 24.04.2015.

Harpreet Sharma and another

....Petitioners.

VERSUS

State of Punjab and another

...Respondents.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. Harparteek Singh, Advocate for the petitioners.

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

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.187 dated 27.06.2013 for offence punishable under Sections 452, 324, 323, 148, 149, 506 and 427 of the Indian Penal Code (in short "I.P.C.") registered at Police Station City, Sangrur and subsequent proceedings emanating therefrom, on the basis of compromise (Annexure P2).

2. Vide order dated 17.02.2014, 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 Chief Judicial Magistrate, Sangrur, wherein it has been reported that on the cross version of petitioner, on the statement of Amit Kumar Daily Diary

Report No.45 dated 28.06.2013 was recorded on the basis of which cross case was registered under Sections 323 and 325 read with Section 34 I.P.C. against Sudesh Shukla and Gurdip Singh etc.

In view of the report, vide order dated 03.03.2015, the matter was sent back to learned Chief Judicial Magistrate, Sangrur for recording the statements of the petitioners with regard to the compromise between the parties in cross case also. Pursuant thereto, again a report has been submitted by Chief Judicial Magistrate, Sangrur, wherein it has been reported that statements of the parties have been recorded and that they have voluntarily compromised the matter and that they have no objection if the DDR is quashed. 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 as well as Daily Diary 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.187 dated 27.06.2013 for offence punishable under Sections 452, 324, 323, 148, 149, 506 and 427 I.P.C., Daily Diary Report No.45 dated 28.06.2013 for offence punishable

under Sections 323 and 325 read with Section 34 I.P.C. registered at Police Station City, Sangrur and proceedings emanating therefrom stand quashed qua the petitioners and Sudesh Shukla and Gurdip Singh etc.

(SNEH PRASHAR)
JUDGE

April 24, 2015.

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