

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

245

CRM-M-8324-2015.

Date of Decision: 26.05.2015.

Kulwant Singh

....Petitioner.

Vs.

The State of Punjab and others

....Respondents.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. A.K. Khunger, Advocate for the petitioner.

Mr. A.S. Klar, Assistant Advocate General, Punjab
for respondent No.1-State.

Mr. Tarun Singla, Advocate for respondents No.2 and 3.

Sneh Prashar, J. (Oral)

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short "Cr.P.C."), the petitioner prays for quashing of First Information Report No.53 dated 05.06.2012 for offence punishable under Sections 279, 337, 338 and 427 of the Indian Penal Code (in short "I.P.C.") registered at Police Station Sadar, Abohar and subsequent proceedings emanating therefrom, on the basis of compromise (Annexure P2).

Vide order dated 09.04.2015, the parties were directed to appear before the trial Court to get their statements recorded with regard to the compromise. Pursuant thereto, a report has been submitted by Judicial Magistrate Ist Class, Abohar, 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.53 dated 05.06.2012 for offence punishable under Sections 279, 337, 338 and 427 I.P.C. registered at Police Station Sadar, Abohar and proceedings emanating therefrom stand quashed qua the petitioner.

(SNEH PRASHAR)
JUDGE

May 26, 2015.
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