

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

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CRM-M-9575-2015.

Date of Decision: 24.07.2015.

Siddharth and another

....Petitioners.

Vs.

State of Punjab and another

....Respondents.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

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

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

Mr. Tarun Singla, Advocate for respondents No.2 to 4.

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.8 dated 06.02.2015 for offence punishable under Sections 323/354/506/34 of the Indian Penal Code (in short "I.P.C.") and section 25/54/59 of the Arms Act registered at Police Station Sadar, Abohar, District Fazilka and subsequent proceedings emanating therefrom, on the basis of a compromise and affidavit of respondents No.2 to 4 (Annexure P2 and P3).

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.

It is submitted that the gun was licenced one and was never used during the occurrence.

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.8 dated 06.02.2015 for offence punishable under Sections 323/354/506/34 I.P.C. and section 25/54/59 of the Arms Act registered at Police Station Sadar, Abohar, District Fazilka and proceedings emanating therefrom stand quashed qua the petitioners.

(SNEH PRASHAR)
JUDGE

July 24, 2015.

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