

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

220/1

**CRM-M No.38391 of 2016.
Date of Decision: 21.12.2016.**

Sarabjit Singh and others

....Petitioners.

Versus

State of Punjab and others

....Respondents.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. M.S. Saini, Advocate for the petitioners.

Mr. Ankur Jain, Assistant Advocate General, Punjab.

Mr. Ranjit Singh, Advocate for

Mr. Ritesh Pandey, Advocate for respondents No.2 and 3.

Sneh Prashar, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (for short, “Cr.P.C.”), the petitioners pray for quashing of First Information Report No.117 dated 28.10.2014 under Sections 326, 324, 323, 148 and 149 of the Indian Penal Code (for short “IPC”), registered at Police Station Sri Hargobindpur, District Batala and subsequent proceedings emanating therefrom, on the basis of compromise (Annexure P2).

Vide order dated 26.10.2016, 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, Batala 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.117 dated 26.10.2014 under Sections 326, 324, 323, 148 and 149 IPC, registered at Police Station Sri Hargobindpur, District Batala and proceedings emanating therefrom stand quashed qua the petitioners.

(SNEH PRASHAR)
JUDGE

21.12.2016

jitender sharma

Whether speaking/ reasoned : Yes

Whether Reportable : No