

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

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**CRM-M No.39244 of 2016.
Date of Decision: 19.12.2016.**

Paramjit Singh

....Petitioner.

Versus

Davinder Kumar

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. K.S. Dhillon, Advocate for
Mr. M.K. Dhot, Advocate for the petitioner.

None for the respondent.

Sneh Prashar, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (for short, "Cr.P.C."), the petitioner prays for quashing of complaint No.34 dated 06.08.2009 titled 'Davinder Kumar vs. Paramjit Singh' under Sections 420, 467, 468 and 471 of the Indian Penal Code (for short "IPC"), pending in the Court of learned Sub Divisional Judicial Magistrate, Malerkotla and subsequent proceedings emanating therefrom, on the basis of compromise (Annexure P2).

Vide order dated 07.11.2016, 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 Sub Divisional Judicial Magistrate, Malerkotla wherein it has been reported that statements of the parties have been recorded and that they have voluntarily compromised the matter.

A perusal of allegations in the complaint 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 Complaint No.34 dated 06.08.2009 titled 'Davinder Kumar vs. Paramjit Singh' under Sections 420, 467, 468 and 471 IPC, pending in the Court of learned Sub Divisional Judicial Magistrate, Malerkotla and subsequent proceedings emanating therefrom stand quashed qua the petitioner.

(SNEH PRASHAR)
JUDGE

19.12.2016
jitender sharma

Whether speaking/ reasoned : Yes

Whether Reportable : No