

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

-.-

Crl. Misc. M 11160 of 2016
Date of decision: 20.01.2017

Danny Kumar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Surinder Sharma, Advocate
for the petitioner
Mr. Navdeep Singh, DAG, Punjab
Mr. Naveen Sharma, Advocate
for respondents No. 2 and 3

-.-

Rekha Mittal, J.

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 FIR No.157 dated 26.06.2013 for offence punishable under Section 354 read with section 34 of the Indian Penal Code (in short, 'IPC') registered with Police Station Division Bawa Khel, District Jalandhar and proceedings emanating therefrom on the basis of compromise dated 15.03.2016 (Annexure P-2) arrived at between the parties.

Counsel for the petitioner states that the petitioner and respondent No. 2 have mutually resolved their dispute vide compromise deed dated 15.03.2016.

Vide order dated 29.11.2016, 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 the Judicial Magistrate Ist Class, Jalandhar wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State does not dispute genuineness of the compromise in view of the report of trial Court.

Counsel for respondents No. 2 and 3 submits that he has no objection if the said FIR and proceedings emanating therefrom are quashed.

A perusal of allegations in the FIR 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 FIR No.157 dated 26.06.2013 for offence punishable under Section 354 read with section 34 IPC registered with Police Station Division Bawa Khel, District Jalandhar and proceedings emanating therefrom on the basis of compromise dated 15.03.2016 stand quashed qua the petitioner.

(Rekha Mittal)
Judge

20.01.2017
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Whether speaking/reasoned : Yes/No
whether reportable : Yes/No