

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

CRM-M No. 14146 of 2016(O&M)

Date of decision: 4.5.2017

Bhajan Singh and anotherPetitioners

VERSUS

State of Punjab and anotherRespondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Bhaskar Sharma, Advocate for the petitioners.

Mr. Mikhail Kad, AAG, Punjab.

None for respondent No.2.

REKHA MITTAL, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No. 100 dated 21.10.2012 for offence punishable under Sections 406, 498-A of the Indian Penal Code, 1860 registered at Police Station Phase 11, SAS Nagar (Mohali) and proceedings emanating therefrom on the basis of compromise (Annexure P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Jasbir Kaur wife of Parminder Singh. Now, dispute between the parties has been resolved by way of compromise Annexure P-2.

Vide order dated 14.02.2017, 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 Additional Chief Judicial Magistrate, SAS Nagar (Mohali) wherein it has

been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State has not disputed that the parties i.e. petitioners and respondent No.2 (complainant) have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the FIR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view 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 discussed hereinbefore, 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 the same are put to an end.

For the foregoing reasons, the petition is allowed, FIR No. 100 dated 21.10.2012 under Sections 406, 498-A IPC registered at Police Station Phase 11, SAS Nagar (Mohali) and proceedings emanating therefrom stand quashed qua the petitioners.

MAY 4, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no