

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

Decided on: 17.04.2017

1. CRM No.M-19996 of 2016

Seth Singh and others	Versus	Petitioners
State of Punjab and another		Respondents

2. CRM No.M-19946 of 2016

Harbhajan Singh and others	Versus	Petitioners
State of Punjab and another		Respondents

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. Rahul Sharma, Advocate
for the petitioners (in CRM No.M-19946 of 2016)
and for respondent No.2 (in CRM No.M-19996 of 2016)

Mr. Gagandeep Singh Simble, Advocate
for the petitioners (in CRM No.M-19996 of 2016)
and for respondent No.2 (in CRM No.M-19946 of 2016)

Mr. Mikhail Kad, AAG, Punjab (in both the petitions)

REKHA MITTAL, J. (Oral)

By way of this order, I shall dispose of aforesaid petitions as they emerged from FIR No.27 dated 16.02.2016 for offence punishable under Sections 323, 509, 325, 354 of the Indian Penal Code (in short 'IPC') registered in Police Station Civil Lines, Batala, District Gurdaspur being version and cross-version.

Vide CRM- M No.19996 of 2016, the petitioners have prayed for quashing of FIR No.27 dated 16.02.2016 for offence punishable under Sections 323, 509, 325 and 354 IPC registered in Police Station Civil Lines, Batala, District Gurdaspur whereas, vide CRM-M No.19946 of 2016, the petitioners have prayed for quashing of cross case registered vide DDR No.34 dated 31.03.2016 for offence

punishable under Sections 341, 323, 506 read with Section 34 IPC in aforesaid FIR on the basis of compromise dated 23.05.2016 arrived at between the parties.

Vide orders dated 20.10.2016 and 20.02.2017, the parties were directed to appear before the Illaqa Magistrate/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, Batala, wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State assisted by counsel for the complainants has not disputed that the parties 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 of the Code. Keeping in view authoritative enunciation of law laid down by Hon'ble the Supreme Court of India in ***“Gian Singh vs 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 petitions are allowed and FIR No.27 dated 16.02.2016 for offence punishable under Sections 323, 509, 325 and 354 IPC registered in Police Station Civil Lines, Batala,

District Gurdaspur and cross-case registered vide DDR No.34 dated 31.03.2016 for offence punishable under Sections 341, 323, 506 read with Section 34 IPC in the aforesaid FIR and proceedings emanating therefrom stand quashed qua the petitioners.

A photocopy of this order be placed on the file of other connected case.

17.04.2017
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(REKHA MITTAL)
JUDGE

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