

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

-.-

Crl. Misc. M 21822 of 2016

Date of decision: 30.03.2017

Surinder Singh and others

..... Petitioners

Versus

State (U T of Chandigarh) and another

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Ms Sumanjit Kaur, Advocate
for the petitioners

Mr. Sukant Gupta, APP, UT Chandigarh

Mr. Rao Ajender Singh, Advocate
for respondent No. 2

-.-

Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'Cr.P.C.'), the petitioners have prayed for quashing of FIR No. 414 dated 17.11.2015 for offence punishable under Sections 323 and 354-A read with Section 34 of the Indian Penal Code (in short, 'IPC') registered with Police Station Sector 36, Chandigarh and proceedings emanating therefrom on the basis of compromise deed dated 31.05.2016 (Annexure P-2) arrived at between the parties.

Counsel for the petitioners states that the petitioners and respondent No. 2 have mutually resolved their differences vide compromise

deed dated 31.05.2016.

Vide order dated 08.09.2016, the parties were directed to appear before the Illaqa Magistrate/Court below to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Chandigarh, wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for UT Chandigarh does not dispute genuineness of the compromise in view of report of the Court below.

Counsel for respondent No. 2 has conceded to the position.

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. 414 dated 17.11.2015 for offence punishable under Sections 323 and 354-A read with Section 34 of the Indian Penal Code (in short, 'IPC') registered with Police Station Sector 36, Chandigarh and proceedings

emanating therefrom on the basis of compromise deed dated 31.05.2016,
stand quashed qua the petitioners.

(Rekha Mittal)
Judge

30.03.2017
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Whether speaking/reasoned	:	Yes/No
whether reportable	:	Yes/No