

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

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Crl. Misc. M 25450 of 2016
Date of decision: 16.05.2017

Mohd. Sadik and another *Petitioners*
Versus
State of Punjab and others *Respondents*

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Anil Chaudhary, Advocate
for the petitioners

Mr. Mikhail Kad, AAG, Punjab
for the respondent – State

Mr. Abhijeet Partap Singh Chaudhary, Advocate
for Respondent Nos. 2 and 3

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1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'the Code'), the petitioners have prayed for quashing of FIR No. 160 dated 20.06.2015 for offence punishable under Sections 376, 406 and 420 read with Section 120-B of the Indian Penal Code (in short, 'IPC') and Sections 66 and 68-A of the Information Technology Act, 2000 (in short, 'the Act') registered with Police Station City Sangrur, District Sangrur and proceedings emanating

therefrom on the basis of compromise dated 28.10.2015 (Annexure P2) arrived at between the parties.

In the present case, aforesaid FIR was got registered at the behest of complainants/respondents No. 2 and 3 namely Karampal Singh and Satnam Kaur, respectively. Now, all the differences between the complainants and the petitioners have been settled. The complainants have got recorded their statement in Court to the effect that dispute between them and the accused (petitioners) has been settled by way of compromise. Moreso, offence under Sections 376 IPC and 66 and 68-A of the Act has been deleted. They have also filed their affidavits in Court.

Counsel for the State of Punjab and respondents No. 2 and 3 do not dispute genuineness of the compromise arrived at between the parties in view of statement got recorded by the complainants in Court. They have also stated that none of the petitioners has absented from the proceedings nor any proceedings declaring them as PO are pending.

As offence under Section 376 IPC has already been deleted, 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 of the Code.

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. 160 dated 20.06.2015 for offence punishable under Sections 376, 406 and 420 read with Section 120-B IPC and 66 and 68-A of the Act registered with Police Station City Sangrur, District Sangrur (offence under Section 376 IPC and 66, 68-A of the Act stands deleted) and proceedings emanating therefrom on the basis of compromise, stand quashed qua the petitioners.

(Rekha Mittal)
Judge

16.05.2017
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whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No