

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

-.-

Crl. Misc. M 2470 of 2017
Date of decision: 28.04.2017

Gurdas Singh

..... Petitioner

Versus

State of Punjab and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Ms Sunita Gupta, Advocate for
Mr./ R V S Chugh, Advocate
for the petitioner

Mr. Mikhail Kad, AAG, Punjab

None for respondent No. 2

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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. 07 dated 02.02.2013 for offence punishable under Sections 354 and 452 of the Indian Penal Code (in short, 'IPC') registered with Police Station Boha, District Mansa and proceedings emanating therefrom on the basis of compromise dated 17.01.2017 (Annexure P-2) arrived at between the parties.

Counsel for the petitioners states that the petitioner and respondent No. 2 have resolved their all differences vide compromise deed dated 17.01.2017.

Vide order dated 27.01.2017, the parties were directed to appear before the Illaqa Magistrate to get their statements recorded with

regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Budhlada, 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 report of the Court below.

There is no representation on behalf of respondent No. 2.

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. 07 dated 02.02.2013 for offence punishable under Sections 354 and 452 IPC registered with Police Station Boha, District Mansa and proceedings emanating therefrom on the basis of compromise dated 17.01.2017, stand quashed qua the petitioner.

(Rekha Mittal)
Judge

28.04.2017
mohan bimbira

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