

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

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Date of decision: 31.05.2017

CRM M 33926 of 2016

Harjinder Singh alias Sonu

..... Petitioner

Versus

State of Punjab and others

.....Respondents

CRM M 11375 of 2017

Jasbir Kaur and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Gursimran Singh Bawa, Advocate
for the petitioner (CRM M 33926 of 2016)
for respondent No. 2 (CRM M 11375 of 2017)

Ms Manpreet Kaur, Advocate
for the petitioners (CRM M 11375 of 2017)
for respondents No. 2 and 3 (CRM M 33926 of 2016)

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

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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.

By way of this order, I shall dispose of aforesaid petitions as they emerged from FIR No. 161 dated 04.07.2016 for offence punishable under Sections 354 and 354-C of the Indian Penal Code (in short, IPC) and 67 of the Information and Technology Act, 2000 (in short, the 2000 Act)

registered with Police Station Sultanwind, Amritsar, District Amritsar being version and cross version.

Vide CRM M 33926 of 2016, the petitioner prays for quashing of aforesaid FIR whereas, vide CRM M 11375 of 2017, the petitioners have prayed for quashing of cross case registered vide DDR No. 32 dated 21.07.2016 in aforesaid FIR on the basis of compromise dated 12/13.09.2016 arrived at between the parties.

Counsel for the petitioners submits that the present case is a case of version and cross version. However, with the intervention of respectables and relatives, dispute between both the parties has been amicably settled by way of compromise.

Vide order dated 05/18.04.2017, 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, Amritsar wherein it has been reported that statements of the parties have been recorded and that 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.

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 petitions are allowed and FIR No. 161 dated 04.07.2016 for offence punishable under Sections 354 and 354-C IPC and 67 of the 2000 Act registered with Police Station Sultanwind, Amritsar, District Amritsar as well as cross case registered vide DDR No. 32 dated 21.07.2016 in the aforesaid FIR and proceedings emanating therefrom stand quashed qua the petitioners.

Photocopy of the order be placed on the connected file.

(Rekha Mittal)
Judge

31.05.2017
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