

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

CRM-M No. 33935 of 2016(O&M)

Date of decision: 9.5.2017

Sarbjeet Singh @ Sabha

....Petitioner

VERSUS

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. B.D. Sharma, Advocate for the petitioner.

Mr. Mikhail Kad, AAG, Punjab.

Mr. Pardeep Rajput, Advocate for
Mr. Lalit Sharma, Advocate for respondent No.2.

REKHA MITTAL, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No. 95 dated 04.05.2014 for offence punishable under Sections 354-A of the Indian Penal Code, 1860 registered at Police Station Jandiala Guru, District Amritsar and proceedings emanating therefrom on the basis of compromise (Annexure P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Harjeet Kaur @ Raj wife of late Sh. Baldev Singh. Now, dispute between the parties has been resolved by way of compromise Annexure P-2.

Vide order dated 01.03.2017, 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 Magistrate Ist Class, Amritsar wherein it has been reported that statements

of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State has not disputed that the parties i.e. petitioner and respondent No.2 (complainant) 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 Cr.P.C. Keeping in view 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 discussed hereinbefore, 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 the same are put to an end.

For the foregoing reasons, the petition is allowed, FIR No. 95 dated 04.05.2014 under Sections 354-A of the Indian Penal Code, 1860 registered at Police Station Jandiala Guru, District Amritsar and proceedings emanating therefrom stand quashed qua the petitioner.

MAY 9, 2017

'D. Gulati'

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned : yes/no

Whether reportable : yes/no