

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

-.-

Crl. Misc. M 339 of 2017

Date of decision: 29.03.2017

Gurpal Singh

..... Petitioner

Versus

State of Punjab and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: None for the petitioner
Mr. Ankur Jain, AAG, Punjab
None 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 petitioner prays for quashing of FIR No.110 dated 26.06.2015 for offence punishable under Sections 498-A, 494, 406 and 420 of the Indian Penal Code (in short, 'IPC') registered with Police Station Moga City, District Moga and proceedings emanating therefrom on the basis of compromise dated 04.01.2017 (Annexure P-2) arrived at between the parties.

It is pleaded that the petitioner and respondent No. 2 have mutually resolved their differences vide compromise deed dated 04.01.2017. Complainant Sukhwinder Kaur has filed her affidavit that due to the intervention of the respectables, the matter has been amicably settled and she has got no objection if the FIR and proceedings emanating therefrom against the petitioner are quashed.

Vide order dated 13.01.2017, 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 Chief Judicial Magistrate, Moga, 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 the Chief Judicial Magistrate, Moga.

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. 110 dated 26.06.2015 for offence punishable under Sections 498-A, 494, 406 and 420 IPC registered with Police Station Moga City, District Moga and proceedings emanating therefrom on the basis of compromise dated 04.01.2017, stand quashed qua the petitioner.

(Rekha Mittal)
Judge

29.03.2017
mohan bimbra

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