

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

-.-

Crl. Misc. M 37978 of 2016
Date of decision: 26.05.2017

Sahil Maria and others

..... Petitioners

Versus

Umesh Puri and others

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Rohit Rana, Advocate
for the petitioners

None for respondent Nos. 1 & 2

Mr. Neeraj Sharma, AAG, Punjab
for respondent No. 3- State

-.-

Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'Cr.P.C.'), the petitioners have prayed for quashing of complaint No. 450 dated 23.11.2015 for offence punishable under Sections 406, 498-A and 506 read with Section 34 of the Indian Penal Code (in short, 'IPC') pending in the Court of Illaqa Magistrate, Jalandhar and proceedings emanating therefrom including summoning order on the basis of compromise dated 05.08.2016 (Annexure P-1) arrived at between the parties.

Counsel for the petitioners states that petitioner No. 1 and respondent No. 2 have mutually decided to resolve their personal differences and part ways vide compromise deed dated 05.08.2016.

Vide order dated 22.02.2017, the parties were directed to appear before the Illaqa Magistrate/Duty 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, Jalandhar, 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 respondents No. 1 and 2.

Perusal of allegations in the complaint 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 complaint

No. 450 dated 23.11.2015 for offence punishable under Sections 406, 498-A and 506 read with Section 34 IPC pending in the Court of Illaqa Magistrate, Jalandhar and proceedings emanating therefrom including summoning order on the basis of compromise dated 05.08.2016 stand quashed qua the petitioners. The parties shall remain bound by the terms and conditions of compromise.

(Rekha Mittal)
Judge

26.05.2017
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Whether speaking/reasoned	:	Yes/No
whether reportable	:	Yes/No