

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

**CRM No.M-38975 of 2016
Decided on: 12.01.2017**

Gurpal Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. Preetwinder Singh Dhaliwal, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

Mr. Rajender Kumar, Advocate
for respondent No.2.

REKHA MITTAL, J. (Oral)

The petitioner has prayed for quashing of FIR No.86 dated 09.09.2012, for offence under Sections 354 and 452 of the Indian Penal Code (in short 'IPC') registered in Police Station Sadar Mansa, District Mansa on the basis of compromise dated 19.10.2016 (Annexure P2) effected between the parties.

In the present case, the FIR was registered at the instance of Veerpal Kaur wife of Jagdeep Singh. Now, dispute between the parties has been resolved by way of compromise (Annexure P2).

Vide order dated 03.11.2016, the parties were directed to appear before the trial Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Chief Judicial Magistrate, Mansa, 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 and respondent No.2 have 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 of the Code. Keeping in view authoritative enunciation of law laid down by Hon'ble the Supreme Court of India in ***“Gian Singh vs 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 view of what has been discussed hereinabove, the petition is allowed and FIR No.86 dated 09.09.2012, for offence under Sections 354 and 452 IPC registered in Police Station Sadar Mansa, District Mansa and proceedings emanating therefrom are ordered to be quashed, *qua* the petitioner.

12.01.2017

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(REKHA MITTAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No