

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

**CRM No.M-40413 of 2016
Decided on: 25.01.2017**

Kashmir Singh and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : None for the petitioners.

ASI Gurnam Singh.

REKHA MITTAL, J. (Oral)

The petitioners have prayed for quashing of FIR No.41 dated 19.09.2016, for offence under Sections 306 and 511 of the Indian Penal Code (in short 'IPC') registered in Police Station Old Shalley, District Gurdaspur on the basis of compromise dated 20.10.2016 (Annexure P3) effected between the parties.

In the present case, the FIR was registered at the instance of Anita Thakur wife of Raj Kumar. Now, dispute between the parties has been resolved by way of compromise (Annexure P3).

Vide order dated 11.11.2016, 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 Judicial Magistrate Ist Class, Gurdaspur, wherein it has been reported that statements of the parties have been recorded and that they have voluntarily compromised the matter.

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.41 dated 19.09.2016, for offence under Sections 306 and 511 IPC registered in Police Station Old Shalley, District Gurdaspur and proceedings emanating therefrom are ordered to be quashed, *qua* the petitioners.

25.01.2017
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(REKHA MITTAL)
JUDGE

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