

In the High Court of Punjab and Haryana at Chandigarh

CRM -M-43138 of 2016

Date of Decision: 20.3.2017

Gursimran Jeet Singh

---Petitioner

versus

UT of Chandigarh and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: None for the petitioner

Mr. Amandeep S.Gill, Addl. PP for UT Chandigarh

**Mr. Rahul Sharma, Advocate
for respondent Nos.3 and 4**

Rekha Mittal, J.

By invoking Section 482 of the Code of Criminal Procedure (in short, 'Cr.P.C.'), the petitioner has prayed for quashing of FIR No. 81 dated 24.4.2016 for offence punishable under Sections 354-D, 506, 509 of the Indian Penal Code (in short, 'IPC') registered at Police Station, Sector-36, Chandigarh and proceedings emanating therefrom on the basis of compromise dated 26.10.2016 (Annexure P-1) arrived at between the parties.

In the present case, the FIR was registered on the statement of Poonam Gupta daughter of Dwarka Nath. Now, dispute between the parties has been resolved by way of compromise Annexure P-1.

Vide order dated 21.12.2016, the parties were directed to appear before the trial Court/Illaq Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by Judicial

Magistrate Ist Class, Chandigarh wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State and respondent Nos. 3 and 4 have not disputed that the parties i.e. petitioner and respondent No. 3 (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 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.

For the foregoing reasons, the petition is allowed and FIR No. 81 dated 24.4.2016 for offence punishable under Sections 354-D, 506, 509 IPC registered at Police Station, Sector-36, Chandigarh and proceedings emanating therefrom stand quashed qua the petitioner.

(Rekha Mittal)
Judge

20.3.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No