

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

-.-

Crl. Misc. M 5844 of 2017  
Date of decision: 11.05.2017

*Pardip Singh*

*..... Petitioner*

*Versus*

*State of Punjab and another*

*.....Respondents*

**Coram: Hon'ble Mrs. Justice Rekha Mittal**

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Present: Mr.Avtar Singh Bhatti, Advocate  
for the petitioner

Mr. Mikhail Kad, AAG, Punjab

Mr. Manoj Sharma, Advocate for  
Mr. Ritesh Pandey, Advocate  
for respondent No. 2

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**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. 81 dated 13.08.2016 for offence punishable under Section 498-A of the Indian Penal Code (in short, 'IPC') registered with Police Station Hariana, District Hoshiarpur and proceedings emanating therefrom on the basis of compromise dated 14.02.2017 (Annexure P-2) arrived at between the parties.

Counsel for the petitioners states that the parties have mutually decided to resolve their personal differences and also decided to part ways vide compromise deed dated 14.02.2017.

Vide order dated 22.02.2017, 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 Judicial Magistrate Ist Class, Hoshiarpur, wherein it has been reported that statements of the father and attorney of petitioner and respondent No. 2 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.

Counsel for respondent No. 2 has conceded to the position.

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. 81 dated 13.08.2016 for offence punishable under Section 498-A IPC registered with Police Station Hariana, District Hoshiarpur and proceedings emanating therefrom on the basis of compromise dated 14.02.2017 stand quashed qua the petitioner subject, however, to encashment of cheque

No. 334776 dated 20.08.2017 in the sum of Rs.1,50,000.00. The parties shall remain bound by the terms and conditions of compromise

(Rekha Mittal)  
Judge

11.05.2017  
mohan bimbra

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