

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

-.-

Crl. Misc. M 9817 of 2016
Date of decision: 05.05.2017

Harbhajan Singh and others

..... Petitioners

Versus

State of Punjab and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Vijay Rana, Advocate
for the petitioners

Mr. Mikhail Kad, AAG, Punjab

Ms Amanpreet Kaur, 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 petitioners have prayed for quashing of FIR No. 62 dated 28.06.2012 for offence punishable under Sections 420, 494, 406 and 498-A read with Section 120-B of the Indian Penal Code (in short, 'IPC') registered with Police Station Bhogpur, District Jalandhar and proceedings emanating therefrom on the basis of compromise dated 30.01.2016 (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 30.01.2016. All the petitioners including

Harvinder Singh Kahlon, petitioner No. 3 were present in Court on the last date of hearing as noticed in the order itself.

Vide order dated 09.03.2017, 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 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.

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. 62 dated 28.06.2012 for offence punishable under Sections 420, 494, 406, 498-A read with Section 120-B IPC registered with Police Station

Bhogpur, District Jalandhar and proceedings emanating therefrom on the basis of compromise dated 30.01.2016, stand quashed qua the petitioners. The parties shall remain bound by the terms and conditions of compromise.

(Rekha Mittal)
Judge

05.05.2017
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Whether speaking/reasoned	:	Yes/No
whether reportable	:	Yes/No