

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

-.-

Crl. Misc. M 654 of 2017
Date of decision: 29.03.2017

Des Raj and others

..... Petitioners

Versus

State of Punjab and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Ashok Kumar Sama, Advocate
for the petitioners

Mr. Ankur Jain, AAG, Punjab

Mr. Varinder Pal Singh Mithewal, Advocate
for respondent No. 2

-.-

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. 196 dated 08.10.2015 for offence punishable under Sections 498-A, 406, 511 and 506 of the Indian Penal Code (in short, 'IPC') registered with Police Station Sadar Fazilka, District Fazilika and proceedings emanating therefrom on the basis of compromise dated 04.01.2017 (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 04.01.2017.

Vide order dated 13.01.2017, the parties were directed to appear before the Illaqa Matistrate to get their statements recorded with

regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Fazilka, 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 Judicial Magistrate Ist Class, Fazilka.

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. 196 dated 08.10.2015 for offence punishable under Sections 498-A, 406, 511 and 506 IPC registered with Police Station Sadar Fazilka, District Fazilika and proceedings emanating therefrom on the basis of compromise dated 04.01.2017, stand quashed qua the petitioners.

(Rekha Mittal)
Judge

29.03.2017
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Whether speaking/reasoned : Yes/No
whether reportable : Yes/No