

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

-.-

Crl. Misc. M 7444 of 2017
Date of decision: 30.05.2017

Baggi alias Kamala Bhatti

..... Petitioner

Versus

State of Punjab and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: None for the petitioner

Mr. Neeraj Sharma, AAG, Punjab

None 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. 122 dated 02.06.2013 for offence punishable under Sections 509, 294 and 506 (Section 354 added later) of the Indian Penal Code (in short, 'IPC') registered with Police Station City Batala, Police District Batala and proceedings emanating therefrom on the basis of compromise dated 13.02.2017 (Annexure P-2) arrived at between the parties.

It is pleaded that with the intervention of respectable of the locality, the petitioner and respondent No. 2 have compromised the matter vide compromise dated 13.02.2017.

Vide order dated 06.03.2017, the parties were directed to appear before the Illaqa Magistrate/trial Court to get their statements

recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Sub Divisional Judicial Magistrate, Batala 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.

There is no representation on behalf of respondent No. 2.

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. 122 dated 02.06.2013 for offence punishable under Sections 509, 294 and 506 IPC (Section 354 IPC added later) registered with Police Station City Batala, Police District Batala and proceedings emanating therefrom on the basis of compromise stand quashed qua the petitioner.

(Rekha Mittal)
Judge

30.05.2017
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Whether speaking/reasoned : Yes/No
whether reportable : Yes/No