

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

-.-

Crl. Misc. M 840 of 2017

Date of decision: 29.03.2017

Suresh Kumar

..... Petitioner

Versus

State of Punjab and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Vishal Munjal, Advocate
for the petitioner

Mr. Ankur Jain, AAG, Punjab

Mr. Amit Gupta, Advocate
for respondent No. 2 and 3

-.-

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. 09 dated 11.04.2014 for offence punishable under Sections 354 and 323 of the Indian Penal Code (in short, 'IPC') registered with Police Station Narot Jaimal Singh, Tehsil and District Pathankot and proceedings emanating therefrom on the basis of compromise dated 21.11.2016 (Annexure P-2) arrived at between the parties.

Counsel for the petitioner states that petitioner and respondent No. 2/complainant have amicably resolved their dispute vide compromise deed dated 21.11.2016.

Vide order dated 13.01.2017, 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, Pathankot, 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 trial Court.

Counsel for respondents No. 2 and 3 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. 09 dated 11.04.2014 for offence punishable under Sections 354 and 323 IPC registered with Police Station Narot Jaimal Singh, Tehsil and District Pathankot and proceedings emanating therefrom on the basis of compromise dated 21.11.2016, stand quashed qua the petitioner.

(Rekha Mittal)
Judge

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