

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

CRM-M-11404-2018

Date of decision: 09.10.2018

Jagsir Singh @ Jagdish Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Madan Sandhu, Advocate
for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

Mr. S.S. Nain, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

Learned counsel for the petitioners has filed the application for amendment of head note and prayer clause.

For the reasons mentioned in the application, the same is allowed and amended head note and prayer clause are taken on record.

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By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of DDR No.14 dated 27.09.2011, under Sections 326, 195, 211, 109, 34 of the Indian Penal Code (for short 'IPC') in FIR No.44 dated 07.07.2011, under Sections 324, 323, 148, 149 IPC, registered at Police Station Joga Mansa and subsequent proceedings on the basis of compromise deed dated 14.02.2018 (Annexure P-2).

Vide order dated 19.03.2018, the parties were directed to appear before the learned trial Court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned

Additional Sessions Judge, Mansa wherein it has been reported that statements

of the parties have been recorded and compromise entered between the parties is voluntarily, without any threat, coercion or any undue influence.

Learned counsel for the State as well as learned counsel for respondent No.2 have not disputed that the parties i.e. petitioners and respondent No.2 (complainant), have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the DDR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view 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 discussed hereinbefore, 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 the same are put to an end.

For the foregoing reasons, the petition is allowed and DDR No.14 dated 27.09.2011, under Sections 326, 195, 211, 109, 34 of the Indian Penal Code (for short 'IPC') in FIR No.44 dated 07.07.2011, under Sections 324, 323, 148, 149 IPC, registered at Police Station Joga Mansa and subsequent proceedings on the basis of compromise deed stands quashed qua the petitioners.

October 09, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no