

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

**CRM-M-12085-2018
Date of decision: 22.05.2018**

Deepinder Pal Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present:- Mr. Pranav Chadha, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Davinder Kumar, Advocate for
Mr. Sandeep Jain, Advocate
for respondent No. 2.

RAJ SHEKHAR ATTRI, J. (Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No. 203 dated 17.11.2016 for offence punishable under Sections 279, 337 and 427 of the Indian Penal Code (for short 'IPC'), registered at Police Station Phase-I, S.A.S. Nagar (Mohali) (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise dated 17.03.2018 (Anneuxre P-2).

In the present case, the FIR was registered on the statement of Tejinder Kaur wife of Kamaljit Singh. Now, dispute between the parties has been resolved.

Vide order dated 22.03.2018, 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 Chief Judicial Magistrate, S.A.S. Nagar (Mohali) wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is genuine, without any undue influence or coercion.

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

Perusal of allegations in the FIR 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, FIR No. 203 dated 17.11.2016 for offence punishable under Sections 279, 337 and 427 of the IPC, registered at Police Station Phase-I, S.A.S. Nagar (Mohali) (Annexure P-1) and proceedings emanating therefrom stand quashed qua the petitioner.

22.05.2018

Waseem Ansari

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No