

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

CRM-M-12334-2018 (O&M)

Date of decision: 24.5.2018

Davinder Singh and others

...Petitioners

VERSUS

Harpal Singh

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Deepak Arora, Advocate,
for the petitioners.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Code of Criminal Procedure (in short, "Cr.P.C."), the petitioner has prayed for quashing of complaint case bearing No.122 dated 28.5.2013 titled as **Harpal Singh v. Davinder Singh and others** for offence punishable under Sections 452, 324, 323, 148, 149 of the Indian Penal Code (in short, "IPC") Police Station Civil Lines, Batala, District Gurdaspur on the basis of compromise (Annexures P-2) arrived at between the parties.

In the present case, the complaint was filed by Harpal Singh son of Balwinder Singh. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide order dated 26.3.2018, 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 Judicial Magistrate, 1st Class, Batala wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter without any coercion or undue influence.

Perusal of allegations in the complaint 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, complaint case bearing No.122 dated 28.5.2013 titled as **Harpal Singh v. Davinder Singh and others** for offence punishable under Sections 452, 324, 323, 148, 149 of the Indian Penal Code, Police Station Civil Lines, Batala, District Gurdaspur and proceedings emanating therefrom stand quashed qua the petitioners.

(RAJ SHEKHAR ATTRI)
JUDGE

May 24, 2018
Paritosh Kumar

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