

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

CRM-M No.11464 of 2017
Date of decision: 28.02.2018

Vivek Shukla

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Neeraj Madaan, Advocate
for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

Mr. Varun Sharma, Advocate for
Mr. Gurbir S. Pannu, Advocate
for respondents No.2 and 3.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.29 dated 22.02.2017 for offence punishable under Section 420 of the Indian Penal Code (for short 'IPC') registered at Police Station Phase-1, SAS Nagar, Tehsil and District SAS Nagar, Mohali and proceedings emanating therefrom on the basis of compromise (Annexures P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Sushil Tiwari son of Baristar Tiwari. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide order dated 03.04.2017, the parties were directed to appear before the illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Chief Judicial Magistrate, SAS Nagar, Mohali wherein it has been reported that

statements of the parties recorded and compromise entered between the parties is genuine, voluntary and without any coercion or undue influence.

Counsel for the State and respondents No. 2 and 3 have not disputed that the parties i.e. petitioner, 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.29 dated 22.02.2017 for offence punishable under Section 420 of the Indian Penal Code (for short 'IPC') registered at Police Station Phase-1, SAS Nagar, Tehsil and District SAS Nagar, Mohali and proceedings emanating therefrom stand quashed qua the petitioner.

February 28, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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