

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

**CRM-M-12552-2018
Date of decision: 22.05.2018**

Navpreet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present:- Mr. Munish Raj Chaudhary, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. D. P. S. Joura, 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. 67 dated 02.08.2017 for offence punishable under Section 384 of IPC and Section 66-D of the Information Technology Act, registered at Police Station Rure-Ke-Kalan, District Barnala (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise dated 20.03.2018 (Anneuxres P-2 & P-3).

In the present case, the FIR was registered on the statement of Harjinder Singh son of Baljinder Singh. Now, dispute between the parties has been resolved.

Vide order dated 26.03.2018, 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 Additional Chief Judicial Magistrate, Barnala 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. petitioner and 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. 67 dated 02.08.2017 for offence punishable under Section 384 of IPC and Section 66-D of the Information Technology Act, registered at Police Station Rure-Ke-Kalan, District Barnala (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*