

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

CRM-M No.12599 of 2018 (O&M)

Date of decision: 30.07.2018

Paramjit Singh and another

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Amninder Singh, Advocate
for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

Ms. Nisha Malik, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.46 dated 22.05.2017 for offence punishable under Sections 420, 406 of the Indian Penal Code (for short 'IPC') and Section 24 of Emigration Act, 1983, registered at Police Station Dhilwan, District Kapurthala and subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 21.12.2017 (Annexure P-2).

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

Vide order dated 19.04.2018, the parties were directed to appear before the learned Area Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Kapurthala wherein it has been reported that statements of

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

Learned 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.46 dated 22.05.2017 for offence punishable under Sections 420, 406 IPC and Section 24 of Emigration Act, 1983, registered at Police Station Dhilwan, District Kapurthala stands quashed qua the petitioners.

July 30, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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