

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

CRM-M No.13048 of 2018 (O&M)

Date of decision: 18.05.2018

Sukhjinder Singh and another

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Sukhdev Singh Khokher, Advocate
for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Umang Goyal, 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.22 dated 14.03.2014 for offence punishable under Sections 382, 34 of the Indian Penal Code (for short 'IPC'), registered at Police Station Tappa Mandi, District Barnala and subsequent proceedings arising therefrom on the basis of compromise.

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

Vide order dated 28.03.2018, the parties were directed to appear before the trial court/Illaq 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, Barnala through the District and Sessions Judge, Barnala wherein it has been reported that statements of the parties have been

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

It has been submitted that Harjinder Singh has died on 10.09.2015 i.e. before filing this petition. Attested photocopy of the death certificate is placed on record. Statements of the remaining accused have been recorded

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.22 dated 14.03.2014 for offence punishable under Sections 382, 34 IPC, registered at Police Station Tappa Mandi, District Barnala and proceedings emanating therefrom stand quashed qua the petitioners.

May 18, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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