

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM M No.1307 of 2018 (O&M)

Date of Decision: 04.07.2018.

Rajvir Singh and others

..Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Naveen Sharma, Advocate
for the petitioners.

Mr. M.S. Naryal, DAG, Punjab.

Mr. Arjun Veer Sharma, Advocate for
Mr. S.K. Bawa, Advocate
for respondent Nos.2 to 4.

RAJ SHEKHAR ATTRI J. (ORAL)

CRM No.19947 of 2018

Learned counsel for the applicants has submitted that one more offence under Section 201 IPC has been added later on. He prays for amending the head note and addition of offence under Section 201 IPC.

Prayer is allowed.

Amended head note is taken on record.

Application disposed of.

CRM M No.1307 of 2018

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.141 dated 20.08.2017 for offence punishable under Sections 323/324/341/506/34 IPC (Section 201 IPC added later on),

registered at Police Station Doraha, Police District Khanna, District Ludhiana (Annexure P-1) and proceedings emanating therefrom on the basis of compromise dated 27.11.2017 (Annexure P-3) arrived at between the parties.

In the present case, the FIR was registered on the statement of Satnam Singh. Now, dispute between the parties has been resolved by way of compromise dated 27.11.2018 (Annexure P-3).

Vide order dated 15.01.2018, 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 Sub Divisional Judicial Magistrate, Payal, wherein it has been reported that statements of the parties have been recorded that the compromise is genuine and valid one which has ex-facie been entered into between the parties with their free volition, without any inducement or threat.

Counsel for the State as well as counsel for respondent Nos.2 to 4 have not disputed that the parties i.e. petitioners and respondent Nos.2 to 4 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.141 dated 20.08.2017 for offence punishable under Sections 323/324/341/506/34 IPC (Section 201 IPC added later on), registered at Police Station Doraha, Police District Khanna, District Ludhiana (Annexure P-1) and proceedings emanating therefrom stand quashed qua the petitioners.

July 04, 2018
rekha sharma

(RAJ SHEKHAR ATTRI)
JUDGE

<i>whether speaking/reasoned</i>	<i>Yes/No</i>
<i>whether reportable</i>	<i>Yes/No</i>