

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

1. **CRM-M-12454-2017**
Date of decision: 27.09.2018

Baljinder Singh **...Petitioner**

Versus

State of Punjab and others **...Respondents**

2. **CRM-M-2102-2017**

Karamjit Singh @ Paramjit Singh **....Petitioner**

Versus

State of Punjab and others **.Respondents**

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Chanchal K. Singla, Advocate (in CRM-M-12454-2017)
Mr. Prashant Vashisth, Advocate (in CRM-M-2102-2017)
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

RAJ SHEKHAR ATTRI, J.(Oral)

This order shall dispose of abovesaid two petitions in which the petitioner has prayed for quashing of DDR No.25 dated 26.04.2013, under Sections 323, 324, 341 of the Indian Penal Code (for short 'IPC') registered in cross FIR No.65 dated 26.04.2013, under Sections 323, 324, 506, 34 IPC at Police Station Payal, Police District Khanna, Ludhiana and subsequent proceedings arising therefrom including summoning order dated 20.09.2016.

In the present case, the DDR was registered on the statement of Dhalwinder Singh son of Pritam Singh. Now, dispute between the parties has been resolved.

Vide order dated 16.07.2018, the parties were directed to appear before the learned Illaqa Magistrate/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 and compromise entered between the parties is genuine, voluntary, without any coercion or undue influence.

Learned counsel for the State has not disputed that the parties i.e. petitioner, respondent No.2 (complainant) and respondent No.3, have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the DDR 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, DDR No.25 dated 26.04.2013, under Sections 323, 324, 341 of the Indian Penal Code (for short 'IPC') registered in cross FIR No.65 dated 26.04.2013, under Sections 323, 324, 506, 34 IPC at Police Station Payal, Police District Khanna, Ludhiana and subsequent proceedings arising therefrom including summoning order dated 20.09.2016 stands quashed qua the petitioner.

September 27, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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