

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

CRM-M-13618-2018 (O&M)

Date of decision: 06.12.2018

Mandeep Kaur and another

...Petitioners

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. Satinder Kaur, Advocate
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Ms. Suman Kumari, 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.279 dated 24.12.2017, registered under Sections 494, 420, 406 of the Indian Penal Code (for short 'IPC') at Police Station Division no.7, District Police Commissionerate Jalandhar and subsequent proceedings arising therefrom on the basis of compromise dated 16.03.2018 (Annexure P-2).

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

Vide orders dated 21.05.2018 and 23.08.2018, the parties were directed to appear before the learned trial court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Chief Judicial Magistrate, Jalandhar wherein it has been reported that statements of

voluntary and without any pressure from any side and it is not a result of any pressure or coercion and is genuine and valid.

Learned counsel for the State has 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 and FIR No.279 dated 24.12.2017, registered under Sections 494, 420, 406 IPC at Police Station Division no.7, District Police Commissionerate Jalandhar and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

December 06, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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