

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM M No.13967 of 2018 (O&M)

Date of Decision: 31.05.2018.

Rajinder Kumar and another

..Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

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

Mr. Karanbir Singh, AAG, Punjab.

Mr. Davinder Singh, Advocate
for respondent Nos.2 and 3.

RAJ SHEKHAR ATTRI J. (ORAL)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of DDR No.25 dated 22.11.2017 for offence punishable under Sections 452/323/34 of the Indian Penal Code (for short 'IPC'), registered at Police Station Ghall Khurd, District Ferozepur (Annexure P-2) in case FIR No.257 dated 21.11.2017, registered under Sections 324/323/34/341 IPC, registered at Police Station Ghall Khurd, District Ferozepur (Annexure P-1) and proceedings emanating therefrom on the basis of compromise dated 05.12.2017 (Annexure P-3) arrived at between the parties.

In the present case, the complaint was registered on the statement of Anmol Kumar. Now, dispute between the parties has been resolved by way of compromise dated 05.12.2017 (Annexure P-3).

Vide order dated 05.04.2018, the parties were directed to

appear before the trial Court/Illaqa 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, Ferozepur, 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 and 3 have not disputed that the parties i.e. petitioners and respondent Nos.2 and 3 have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the complaint 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 22.11.2017 for offence punishable under Sections 452/323/34 IPC, registered at Police Station Ghall Khurd, District Ferozepur (Annexure P-2) in case FIR No.257 dated 21.11.2017, registered under Sections 324/323/34/341 IPC, registered at Police Station Ghall Khurd, District

Ferozpur (Annexure P-1) and proceedings emanating therefrom stand quashed qua the petitioners.

31.05.2018
rekha sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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