

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

CRM-M No.14637 of 2017 (O&M)
Date of decision: 03.08.2018

Harjit Singh @ Hari and others

...Petitioners

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. J.S. Dadwal, Advocate
for the petitioners.

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

Mr. Sanjeev Kumar, Advocate for
Mr. Shiv Roop Singh, Advocate
for respondents No.2 and 3.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.18 dated 15.03.2015 for offence punishable under Sections 452, 324, 323, 148, 149 and 506 of the Indian Penal Code (for short 'IPC'), registered at Police Station Mattewal, District Amritsar Rural, Punjab and subsequent proceedings arising therefrom on the basis of compromise dated 18.04.2017 (Annexure P-2).

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

Vide order dated 17.08.2017, the parties were directed to appear before the learned trial court/Area Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Sub Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar wherein it has been reported that statements of the parties have been recorded and

compromise entered between the parties is voluntarily, out of their free will and without any pressure or coercion and the same appears to be genuine one.

Learned counsel for the State as well as learned counsel for respondents No.2 and 3 have not disputed that the parties i.e. petitioners, 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 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.18 dated 15.03.2015 for offence punishable under Sections 452, 324, 323, 148, 149 and 506 IPC, registered at Police Station Mattewal, District Amritsar Rural, Punjab stands quashed qua the petitioners.

August 03, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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