

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

I.

CRM-M-15921-2018 (O&M)

Date of decision: 1.12.2018

Rachpal Singh and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

II.

CRM-M-16143-2018

Rajinder Singh and others

... Petitioners

Versus

State of Punjab and another

...Respondents

III.

CRM-M-21113-2018

Gurmeet Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. Arshdeep Kaur, Advocate,
for the petitioners in CRM-M-15921 and 21113 of 2018 and
for respondent No.2 in CRM-M-16143-2018.
Mr. V.G.Jauhar, Sr. DAG, Punjab

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Code of Criminal Procedure (in short, “Cr.P.C.”), the petitioners in the aforesaid cases have prayed for quashing of FIR No.98 dated 11.10.2013 for offence punishable under Sections 323, 324, 506, 148, 149 of the Indian Penal Code (in short, “IPC”) and Nakalt Rapat No.34 dated 12.10.2013 for offence punishable under Sections 341, 323, 506, 427, 34 and 325 IPC in the aforesaid FIR registered at Police Station Hathur, District Ludhiana (Rural) and proceedings emanating therefrom and on the basis of compromise (Annexures P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Rajinder Singh son of Bachitar Singh. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide order dated 19.4.2018/20.4.2018/18.5.2018, 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 Judicial Magistrate, 1st Class, Jagraon wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter without any coercion or undue influence.

Counsel for the State and respondent No. 2 have not disputed that the parties i.e. petitioner and respondent No.2 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.98 dated 11.10.2013 for offence punishable under Sections 323, 324, 506, 148, 149 of the Indian Penal Code and Nakal Rapat No.34 dated 12.10.2013 for offence punishable under Sections 341, 323, 506, 427, 34 and 325 IPC in the aforesaid FIR registered at Police Station Hathur, District Ludhiana (Rural) and proceedings emanating therefrom stand quashed qua the petitioners.

(RAJ SHEKHAR ATTRI)
JUDGE

December 1, 2018

Paritosh Kumar

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No