

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16125-2016 (O&M)

Date of Decision: 08.03.2018

Rohit

. . . Petitioner

Versus

State of Punjab and another

. . . Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Nakul Sharma, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Ms. Amanpreet Kaur, Advocate
for respondent No.2/complainant.

Raj Shekhar Attri, J. (Oral)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.215 dated 12.12.2013 for offences punishable under Sections 457, 380 of the Indian Penal Code (for short 'IPC') registered at Police Station City Batala, Police District Batala, District Gurdaspur and proceedings emanating therefrom on the basis of compromise (Annexures P-3) arrived at between the parties.

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In the present case, the FIR was registered on the statement of Sham Lal son of Banarsi Das. Now, dispute between the parties has been resolved by way of compromise Annexures P-3.

Vide orders dated 07.09.2017 and 19.01.2018, 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 the Sub Divisional Judicial Magistrate, Batala, wherein it has been reported that statements of the parties recorded and compromise entered between the parties is genuine, voluntarily and out of free will.

Counsel for the State and respondent No.2 have not disputed that the parties i.e. petitioner, 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, FIR No.215 dated 12.12.2013 for offences punishable under Sections 457, 380

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of the Indian Penal Code (for short ‘IPC’) registered at Police Station City Batala, Police District Batala, District Gurdaspur and proceedings emanating therefrom stand quashed qua the petitioner.

[RAJ SHEKHAR ATTRI]
JUDGE

March 08, 2018
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Whether Speaking/reasoned : Yes/No
Whether Reportable : Yes/No