

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM M No.1652 of 2018 (O&M)

Date of Decision: 04.07.2018.

Satnam Singh and others

..Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Arjun Veer Sharma, Advocate for
Mr. S.K. Bawa, Advocate
for the petitioners.

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

Mr. Naveen Sharma, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI J. (ORAL)

CRM No.19946 of 2018

Learned counsel for the applicants has submitted that one more offence under Section 201 IPC has been added later on. He prays for amending the head note and addition of offence under Section 201 IPC.

Prayer is allowed.

Amended head note is taken on record.

Application disposed of.

CRM M No.1652 of 2018

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of cross version recorded vide DDR No.36 dated 29.08.2017 under Section 323/324/341/427/148/149 IPC (Annexure P-2) in case FIR

No.141 dated 20.08.2017 for offence punishable under Sections 323/324/341/506/34 IPC (Section 201 IPC added later on), registered at Police Station Raman, District Doraha, Police District Khanna, District Ludhiana (Annexure P-1) and proceedings emanating therefrom on the basis of compromise dated 27.11.2018 (Annexure P-3) arrived at between the parties.

In the present case, the FIR was registered on the statement of Rajvir Singh. Now, dispute between the parties has been resolved by way of compromise dated 27.11.2018 (Annexure P-3).

Vide order dated 18.01.2018, 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, Payal, 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 No.2 have not disputed that the parties i.e. petitioners 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. Cross version recorded vide DDR No.36 dated 29.08.2017 under Section 323/324/341/427/148/149 IPC (Annexure P-2) in case FIR No.141 dated 20.08.2017 for offence punishable under Sections 323/324/341/506/34 IPC (Section 201 IPC added later on), registered at Police Station Raman, District Doraha, Police District Khanna, District Ludhiana (Annexure P-1) and proceedings emanating therefrom stand quashed qua the petitioners.

July 04, 2018
rekha sharma

(RAJ SHEKHAR ATTRI)
JUDGE

whether speaking/reasoned
whether reportable

Yes/No
Yes/No