

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

CRM-M No.17901 of 2018 (O&M)

Date of decision: 24.07.2018

Maninder Singh @ Bitta and others

...Petitioners

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Gurpal Singh Sandhu, Advocate
for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

Ms. Karmanjot Kaur, Advocate
for respondents No.2 to 4.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.67 dated 20.04.2016 for offence punishable under Sections 323, 341, 506, 148 and 149 of the Indian Penal Code (for short 'IPC'), registered at Police Station City Muktsar, District Sri Muktsar Sahib and subsequent proceedings arising therefrom on the basis of compromise (Anneuxre P-2).

In the present case, the FIR was registered on the statement of Sajan son of Amir Chand. Now, dispute between the parties has been resolved.

Vide order dated 01.05.2018, the parties were directed to appear before the trial court/Illaq Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Chief Judicial Magistrate, Sri Muktsar Sahib through the District and Sessions Judge, Sri Muktsar Sahib wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is genuine,

voluntarily to eliminate bitterness and acrimony and without any threat or coercion.

Learned counsel for the State as well as counsel for respondents No.2 to 4 have not disputed that the parties i.e. petitioners, respondent No.2 (complainant), respondents No.3 and 4 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.67 dated 20.04.2016 for offence punishable under Sections 323, 341, 506, 148 and 149 IPC, registered at Police Station City Muktsar, District Sri Muktsar Sahib and proceedings emanating therefrom stand quashed qua the petitioners.

July 24, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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