

CRM-M-17907-2018

Date of Decision : 01.06.2018

Paramjit Singh and another

...Petitioners

Versus

Amarjit Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. S. S. Arora, Advocate
for the petitioners.

Mr. Dhawaljeet Dutta, Advocate
for the respondent.

Raj Shekhar Atttri, J. (Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of complaint/application No. 2893/15 dated 06.11.2015 for offence punishable under Sections 420, 465, 467, 468, 471, 120-B, 34 IPC of the Indian Penal Code, pending in the Court of learned Judicial Magistrate 1st Class, Jalandhar and proceedings emanating therefrom including summoning order dated 21.11.2017 (Annexure P-2) on the basis of compromise (**Annexures P-3**) arrived at between the parties.

In the present case, the complaint was filed by Amarjit Singh-respondent. Now, dispute between the parties has been resolved by way of compromise **Annexures P-3**.

Vide order dated 01.05.2018, 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 Judicial Magistrate, 1st Class, Jalandhar wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter without any pressure, undue influence or coercion.

Counsel for the respondent has not disputed that the parties i.e. petitioners and respondent have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the complaint 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 the 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, complaint/application No. 2893/15 dated 06.11.2015 under Sections 420, 465, 467, 468, 471, 120-B, 34 of the Indian Penal Code, pending in the Court of learned Judicial Magistrate 1st Class, Jalandhar and proceedings emanating therefrom including summoning order dated 21.11.2017 (Annexure P-2) stand quashed qua the petitioners.

[RAJ SHEKHAR ATTRI]
JUDGE

01.06.2018
Manpreet

Whether Speaking/reasoned : Yes/No
Whether Reportable : Yes/No