

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

CRM-M No.18307 of 2018 (O&M)

Date of decision: 24.07.2018

Rekha and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Rimple Saini, Advocate
for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Dinesh Mahajan, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.1 dated 01.01.2018 for offence punishable under Sections 452, 323, 506 and 34 of the Indian Penal Code (for short 'IPC'), registered at Police Station Kanwan, Tehsil and District Pathankot and subsequent proceedings arising therefrom on the basis of compromise dated 12.04.2018 (Anneuxre P-2).

In the present case, the FIR was registered on the statement of Bimla Rani wife of Tilak Raj. Now, dispute between the parties has been resolved.

Vide order dated 02.05.2018, the parties were directed to appear before the trial court/Illaqa Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Chief Judicial Magistrate, Pathankot wherein it has been reported that statements of the

parties have been recorded which are not the result of any pressure or coercion or undue influence and their compromise is voluntary and genuine.

Learned counsel for the State as well as counsel for respondent No.2 have not disputed that the parties i.e. petitioners, 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.1 dated 01.01.2018 for offence punishable under Sections 452, 323, 506 and 34 IPC, registered at Police Station Kanwan, Tehsil and District Pathankot 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