

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

CRM-M No.18630 of 2016 (O&M)

Date of decision: 22.02.2018

Gurjant Singh @ Janta

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Peeush Gagneja, Advocate
for the petitioner.

Mr. Simranjeet Kaur, AAG, Punjab.

Mr. Harpal Singh, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.4 dated 16.01.2011 for offence punishable under Sections 324, 323, 148, 149 of the Indian Penal Code (for short 'IPC') (Section 326 IPC added later on) registered at Police Station City 2, Abohar, District Ferozepur (now District Fazilka) and proceedings emanating therefrom on the basis of compromise dated 04.11.2015 (Annexures P-4) arrived at between the parties.

In the present case, the FIR was registered on the statement of Dinesh Kumar son of Radhey Sham. Now, dispute between the parties has been resolved by way of compromise Annexures P-4.

Vide order dated 08.11.2016, 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 Ist Class, Abohar through the District and Sessions Judge, Ferozepur wherein it has been reported that statements of the parties recorded and compromise entered between the parties is with their own free will and without any pressure.

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.4 dated 16.01.2011 for offence punishable under Sections 324, 323, 148, 149 of the Indian Penal Code (for short 'IPC') (Section 326 IPC added later on) registered at Police Station City 2, Abohar, District Ferozepur (now District Fazilka) and proceedings emanating therefrom stand quashed qua the petitioner.

February 22, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE