

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

CRM-M-1812 of 2017

Date of Decision: 17-01-2018

Balkar Singh

.....Petitioner

v.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJ SHEKHAR ATTRI

Present: Mr.Sunny Deep Joneja, Advocate
for the petitioner.

Mr.Kanisth Ganeriwala, AAG, Punjab
for respondent No.1.

Mr.G.S.Kaura, Advocate
for respondents No.2 and 3.

RAJ SHEKHAR ATTRI, J. (ORAL)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.195 dated 5.12.2011 for offence punishable under Sections 420, 467, 468, 471, 120-B of the Indian Penal Code registered in Police Station Kotwali Nabha, District Patiala and proceedings emanating therefrom on the basis of affidavits with regard to compromise (Annexure P2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Jagjit Singh son of Gurbachan Singh. Now, dispute between the parties has been resolved by way of compromise Annexure P2.

Pursuant to orders dated 28.11.2017 of this Court, a report has

been submitted by the Sub Divisional Judicial Magistrate, Nabha wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State and respondents No.2 and 3 have not disputed that the parties i.e. petitioner and 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.195 dated 5.12.2011 for offence punishable under Sections 420, 467, 468, 471, 120-B of the Indian Penal Code registered in Police Station Kotwali Nabha, District Patiala and proceedings emanating therefrom stand quashed qua the petitioner.

(**RAJ SHEKHAR ATTRI**)
JUDGE

January 17, 2018

RC

Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No