

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

**CRM-M-19295-2018 (O&M)
Date of decision: 11.12.2018**

Kamlesh Rani and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Rishav Jain, Advocate
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.56 dated 28.03.2018, registered under Sections 323, 295-A, 506, 34 of the Indian Penal Code (for short 'IPC') at Police Station Moga City, District Moga and subsequent proceedings arising therefrom on the basis of compromise dated 21.04.2018 (Annexure P-2).

In the present case, the FIR was registered on the statement of Balwinder Singh son of Mal Singh. Now, dispute between the parties has been resolved.

Vide orders dated 07.05.2018 and 30.07.2018, the parties were directed to appear before the learned trial court/Illaq Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Chief Judicial Magistrate, Moga wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is genuine, voluntarily and without any coercion or undue influence.

Learned State counsel has 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 and FIR No.56 dated 28.03.2018, registered under Sections 323, 295-A, 506, 34 IPC at Police Station Moga City, District Moga and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

December 11, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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