

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

CRM-M No.19627 of 2018 (O&M)

Date of decision: 24.07.2018

Amandeep Handa @ Money

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. A.K. Khunger, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

None for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.240 dated 18.11.2017 for offence punishable under Sections 324, 323, 326, 506, 148 and 149 of the Indian Penal Code (for short 'IPC'), registered at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib and subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 13.03.2018 (Anneuxres P-2 and P-3).

In the present case, the FIR was registered on the statement of Rajat Chaudhary son of Kishore Kumar. Now, dispute between the parties has been resolved.

Vide order dated 09.05.2018, the parties were directed to appear before the trial court/Illaq Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Chief Judicial Magistrate, Sri Muktsar Sahib through the District and Sessions Judge, Sri Muktsar Sahib wherein it has been reported that statements of the parties

have been recorded and compromise entered between the parties is genuine,

with their free volition, without any inducement, threat, promise, coercion or undue influence from any quarter.

Learned counsel for the State as well as counsel for 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.240 dated 18.11.2017 for offence punishable under Sections 324, 323, 326, 506, 148 and 149 IPC, registered at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib and proceedings emanating therefrom stand quashed qua the petitioner.

July 24, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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