

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.19867 of 2018 (O&M)

Date of Decision: 22.10.2018.

Arashdip Singh

...Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. P.P.S. Tung, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Varinder Basa, 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.156 dated 23.12.2015 for the offences punishable under Sections 452/324/341/323/427/148/149 of the Indian Penal Code (for short 'IPC'), registered at Police Station Raman, District Bathinda (Annexure P-1) and all the proceedings emanating therefrom on the basis of compromise dated 11.04.2018 (Annexure P-2) arrived at between the parties.

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

Vide order dated 10.05.2018, 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 Sub
Divisional Judicial Magistrate, Talwandi Sabo, wherein it has been reported

that statements of the parties have been recorded that the compromise is genuine, voluntary , without any threat, coercion or undue influence.

Counsel for the State as well as counsel for respondent No.2 have not disputed that the parties i.e. petitioner and respondent No.2 have arrived at a settlement with an intent to give burial to their differences.

Learned State counsel submits that he does not want to file reply in this case.

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.156 dated 23.12.2015 for the offences punishable under Sections 452/324/341/323/427/148/149 IPC, registered at Police Station Raman, District Bathinda (Annexure P-1) and all the proceedings emanating therefrom on the basis of compromise stand quashed qua the petitioner.

22.10.2018
rekha sharma

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No