

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

CRM-M No.20044 of 2016
Date of decision: 26.03.2018

Prabsharan Singh

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. R.K. Arya, Advocate
for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

Mr. Rimple Saini, Advocate
for respondents No.2 to 4.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.172 dated 12.11.2009 for offence punishable under Sections 420, 448, 454, 34 of the Indian Penal Code (for short 'IPC') registered at Police Station City Gurdaspur, District Gurdaspur on the basis of compromise (Annexure P-2).

In the present case, the FIR was registered on the statement of Kulwant Kaur wife of M.S. Luna (now deceased). Now, dispute between the parties has been resolved.

Vide order dated 02.06.2016, the parties were directed to appear before the illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

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

recorded and compromise entered between the parties is genuine and voluntary.

Counsel for the State and respondents No.2 to 4 have not disputed that the parties i.e. petitioner, respondents No.2 to 4 (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.172 dated 12.11.2009 for offence punishable under Sections 420, 448, 454, 34 of the Indian Penal Code (for short 'IPC') registered at Police Station City Gurdaspur, District Gurdaspur and proceedings emanating therefrom stand quashed qua the petitioner.

March 26, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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