

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

CRM-M-20144-2018

Date of decision: 10.12.2018

Suresh Kumar Kaushik and Anr

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Vinod Bhardwaj, Advocate, for the petitioners.

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

Mr. Balwinder Singh Brar, Advocate,
for respondent No.2/complainant.

RAJ SHEKHAR ATTRI, J.

By invoking Section 482 Cr.P.C., the petitioner(s) has prayed for quashing of FIR No.142 dated 30.05.2016 for offence punishable under Section 3(x) of the SC & ST Act and Section 294 IPC, registered at Police Station Sohana, District Mohali and all the proceedings emanating therefrom on the basis of compromise (Annexure P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Satwant Kaur wife of Sukhdev Raj. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide order dated 22.11.2018 the parties were directed to appear before the trial Court/Illaq Magistrate to get their statements recorded with regard to genuineness of compromise, without any pressure.

Pursuant thereto, a report has been submitted by the Special Judge, SAS Nagar wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

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Learned counsel for the State and respondent No. 2 have not disputed that the parties i.e. petitioner(s) and respondent No.2 (complainant) have arrived at a settlement with an intent to give burial to their differences.

The parties are bound by the terms and conditions of the compromise.

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.142 dated 30.05.2016 for offence punishable under Section 3(x) of the SC & ST Act and Section 294 IPC, registered at Police Station Sohana, District Mohali and all the proceedings emanating therefrom stand quashed qua the petitioner(s).

December 10, 2018
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(RAJ SHEKHAR ATTRI)
JUDGE

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