

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

CRM-M-23299-2018 (O&M)

Date of decision: 06.12.2018

Harjinder Singh @ Geja and others

...Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Amandeep Chhabra, Advocate
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Vikas Bishnoi, Advocate
for respondents No.2 to 5.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of DDR No.27 dated 22.08.2013, under Sections 326, 325, 323, 452, 427, 148, 149 of the Indian Penal Code (for short 'IPC') in FIR No.170 dated 14.08.2013, under Sections 323, 324, 148, 149 IPC registered at Police Station Jandiala Guru, Amritsar and subsequent proceedings arising therefrom on the basis of compromise dated 28.03.2018 (Annexure P-2).

In the present case, the DDR was registered on the statement of Rabab Singh @ Babar son of Kala Singh. Now, dispute between the parties has been resolved.

Vide order dated 15.10.2018, 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

statements of the parties have been recorded and compromise entered between the parties is without any fear, pressure, threat or coercion and out of their free will. It is further submitted that as per the statements of petitioner No.1 to 3, 5, 6, 8, 9 and respondents No.2 and 5, their correct address is Village Nijjarpura, Meharbanapura, Tehsil and District Amritsar; father name of respondent No.2 is Mangal Singh, father name of respondent No.4 is Ghula Singh and father name of respondent No.5 is Rashpal Singh.

Learned counsel for the State has not disputed that the parties i.e. petitioners, respondent No.2 (complainant) and respondents No.3 to 5, have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the DDR 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 DDR No.27 dated 22.08.2013, under Sections 326, 325, 323, 452, 427, 148, 149 IPC in FIR No.170 dated 14.08.2013, under Sections 323, 324, 148, 149 IPC registered at Police Station Jandiala Guru, Amritsar and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

December 06, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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