

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

CRM-M No.2360 of 2018
Date of decision: 28.02.2018

Kartik Bhaganiya and another ...Petitioners

VERSUS

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Namit Gautam, Advocate
for the petitioners.

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

Mr. Rohit Kumar, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.142 dated 15.08.2017 for offence punishable under Sections 379, 34 and 201 of the Indian Penal Code (for short 'IPC') registered at Police Station Bhargo Camp, Jalandhar and proceedings emanating therefrom on the basis of affidavit/compromise (Annexures P-1) arrived at between the parties.

In the present case, the FIR was registered on the statement of Rakesh Kumar son of Late Sh. Dev Raj Sharma. Now, dispute between the parties has been resolved by way of compromise Annexures P-1.

Vide order dated 22.01.2018, the parties were directed to appear before the trial court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Chief Judicial Magistrate (NRI Court), Jalandhar wherein it has been reported that

statements of the parties recorded and compromise entered between the parties is genuine, voluntary and without any coercion or undue influence.

Counsel for the State and respondent No.2 have not disputed that the parties i.e. petitioners, 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.142 dated 15.08.2017 for offence punishable under Sections 379, 34 and 201 of the Indian Penal Code (for short 'IPC') registered at Police Station Bhargo Camp, Jalandhar and proceedings emanating therefrom stand quashed qua the petitioners.

February 28, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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