

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

**CRM-M No.23896 of 2018 (O&M)**  
**Date of decision: 28.08.2018**

Manoj Kumar and others

...Petitioners

VERSUS

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI**

Present: Mr. Harsh Raheja, Advocate  
for the petitioners.

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

Ms. Anupama Arigala, Advocate for  
Mr. K.B. Raheja, Advocate  
for respondents No.2 to 4.

**RAJ SHEKHAR ATTRI, J.(Oral)**

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.79 dated 25.10.2011 for the offences punishable under Sections 323, 324, 325, 148 and 149 of the Indian Penal Code (for short 'IPC') registered at Police Station Khanauri, Tehsil Moonak, District Sangrur and subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

In the present case, the FIR was registered on the statement of Suresh Kumar son of Ram Kishan. Now, dispute between the parties has been resolved.

Vide order dated 31.05.2018, the parties were directed to appear before the learned trial court/Illaqa 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, Moonak wherein it has been reported that statements of the parties have been recorded and compromise entered between

the parties is with the free consent of complainant, without any pressure or undue influence and the compromise is genuine.

Learned counsel for the State as well as learned counsel for respondents No.2 to 4 have not disputed that the parties i.e. petitioners, respondent No.2 (complainant) and respondents No.3 and 4, 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.79 dated 25.10.2011 for the offences punishable under Sections 323, 324, 325, 148 and 149 IPC registered at Police Station Khanauri, Tehsil Moonak, District Sangrur and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua the petitioners.

**August 28, 2018**  
*m. sharma*

**(RAJ SHEKHAR ATTRI)**  
**JUDGE**

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