

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

CRM-M No. 24049 of 2016

Date of decision: 13.03.2018

Sarup Singh

....Petitioner.

VERSUS

State of Punjab and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. Pushpinder Kaur, Advocate for
Ms. G.S. Mann, Advocate,
for the petitioner.

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

Mr. Mehakpreet Khehra, Advocate,
for respondent No. 2.

Ms. Sawati Kapoor, Advocate,
for respondent No. 3.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No. 46 dated 14.03.2014 for offence punishable under Sections 323, 324, 341, 379 and 34 of the Indian Penal Code (for short 'IPC') registered at Police Station C Division, District Amritsar City and proceedings emanating therefrom on the basis of affidavit/compromise (Annexures P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Jasbir Singh son of Narinder Singh. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide orders dated 29.11.2016 and 11.07.2017, 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 **Judicial**

Magistrate Ist Class, Amritsar dated 28.07.2017 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 Nos.2 and 3 have not disputed that the parties i.e. petitioner, respondent Nos. 2 and 3 (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. 46 dated 14.03.2014 for offence punishable under Sections 323, 324, 341, 379 and 34 IPC registered at Police Station C Division, District Amritsar City and proceedings emanating therefrom stand quashed qua the petitioner.

March 13, 2018
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(RAJ SHEKHAR ATTRI)
JUDGE

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