

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

CRM-M No.24378 of 2018 (O&M)
Date of decision: 28.08.2018

Ramesh Kumar and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. Anupama Arigala, Advocate for
Mr. K.B. Raheja, Advocate
for the petitioners.

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

Mr. Harsh Raheja, Advocate
for respondent No.2.

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 27.10.2011 in FIR No.79 dated 25.10.2011 for the offences punishable under Sections 323, 324, 148, 149 and 458 of the Indian Penal Code (for short 'IPC') registered at Police Station Khanori, Tehsil Moonak, District Sangrur and subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

In the present case, the DDR was registered on the statement of Manoj Kumar son of Randhir Singh. 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/Illaq 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 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 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, DDR No.27 dated 27.10.2011 in FIR No.79 dated 25.10.2011 for the offences punishable under Sections 323, 324, 148, 149 and 458 IPC registered at Police Station Khanori, 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