

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

CRM-M No.24636 of 2018 (O&M)
Date of decision: 30.08.2018

Gurpreet Thapar

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Aditya Pal Singla, Advocate
for the petitioner.

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

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.145 dated 13.07.2017, under Sections 406 and 420 of the Indian Penal Code (for short 'IPC') at Police Station Division No.7, District Jalandhar and subsequent proceedings arising therefrom on the basis of statement of complainant dated 18.04.2018 (Annexure P-1).

In the present case, the FIR was registered on the statement of Harjinder Kumar son of Santokh Singh. Now, dispute between the parties has been resolved.

Vide order dated 01.06.2018, 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 Chief Judicial Magistrate, Jalandhar wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is voluntary and genuine.

Learned counsel for the State has not disputed that the parties i.e. petitioner, 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.145 dated 13.07.2017, under Sections 406 and 420 IPC at Police Station Division No.7, District Jalandhar and subsequent proceedings arising therefrom on the basis of statement of complainant dated 18.04.2018 stands quashed qua the petitioner.

August 30, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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