

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

CRM-M No.26072 of 2016 (O&M)

Date of decision: 06.02.2018

Manpreet Singh @ Rana

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. G.P. S. Bal, Advocate,
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Matinder Brar, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.214 dated 26.12.2015 for offence punishable under Section 420 of the Indian Penal Code registered at Police Station Morinda, District Rupnagar and proceedings emanating therefrom on the basis of compromise dated 20.05.2016 (Annexures P-2) arrived at between the parties.

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

Vide order dated 02.03.2017, the parties were directed to appear before the Area Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Rupnagar wherein it has been reported that statements of the parties recorded and the compromise arrived at between the parties is genuine, voluntarily and without any coercion or undue influence.

Counsel for the State and respondent No. 2 have not disputed that the parties i.e. petitioner and 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.214 dated 26.12.2015 for offence punishable under Section 420 of the Indian Penal Code registered at Police Station Morinda, District Rupnagar and proceedings emanating therefrom stand quashed qua the petitioner.

February 06, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned : yes/no

Whether reportable : yes/no