

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

CRM-M-26049-2017 (O&M)

Date of decision: 13.12.2018

Chand Singh

...Petitioner

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Jitender Singh Dadwal, Advocate
for the petitioner.

Ms. Ambika Sood, DAG, Punjab.

Mr. Sanjeev Kumar, Advocate for
Mr. Gagandeep Singh, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.0024 dated 12.03.2016, registered under Sections 420, 120-B of the Indian Penal Code (for short 'IPC') at Police Station Payal, Police District Khanna, District Ludhiana and subsequent proceedings arising therefrom on the basis of compromise dated 10.07.2017 (Annexure P-2).

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

Vide orders dated 28.11.2017, 19.12.2017, 10.08.2018 and 10.10.2018, 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 learned Sub Divisional Judicial Magistrate, Payal wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is genuine, voluntarily and without any undue influence or coercion.

Learned State counsel as well as learned counsel for respondent No.2 have 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 and FIR No.0024 dated 12.03.2016, registered under Sections 420, 120-B IPC at Police Station Payal, Police District Khanna, District Ludhiana and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioner.

December 13, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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