

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

CRM-M-27728-2016

Decided on: 30.01.2018

Randeep Gill

.... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Vaibhav Narang, Advocate
for the petitioner.

Mr. V.G. Jauhar, Advocate,
for respondent No.1-State.

Mr. Subhash Chand, Advocate,
for respondents No.2 and 3.

RAJ SHEKHAR ATTRI, J (ORAL)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.58 dated 28.02.2016, registered under Sections 382, 323, 452, 506, 148, 149 of IPC at Police Station A Division, District Police Commissionerate and proceedings emanating therefrom on the basis of compromise dated 08.03.2016 (Annexure P-1) arrived at between the parties.

In the present case, the FIR was registered on the statement of Ashwani Kumar Mahajan son of Late Harbans Lal. Now, dispute between the parties has been resolved by way of compromise Annexure P-1.

Vide order dated 12.08.2016, the parties were directed to appear before the trial Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, report has been submitted by the Judicial Magistrate Ist Class, Amritsar, wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State and respondent Nos. 2 and 3 have not disputed that the parties i.e. petitioner and respondent Nos.2 and 3 (complainant party) 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.58 dated 28.02.2016, registered under Sections 382, 323, 452, 506, 148, 149 of IPC at Police Station A Division, District Police Commissionerate and proceedings emanating therefrom stand quashed qua the petitioner.

(**RAJ SHEKHAR ATTRI**)
JUDGE

30.01.2018

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No