

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

Criminal Misc.No.M-27922 of 2018 (O&M)

Date of Decision : 02.11.2018

Jaswant Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Himanshu Monga, Advocate
for the petitioners.

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

Mr. Rupinder Singh Dhillon, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J. (Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.58 dated 29.09.1994 for offence punishable under Sections 323, 324, 34 of the Indian Penal Code registered in Police Station Kahnuwan, District Gurdaspur and proceedings emanating therefrom on the basis of compromise (Annexure P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Ajit Singh son of Pritam Singh. Now, dispute between the parties has been resolved by way of compromise Annexure P-2.

Vide order dated 09.07.2018, the parties were directed to appear before the trial Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate, 1st Class, Gurdaspur wherein it has been reported that statements of the parties have been recorded and they have voluntarily

compromised the matter. It has also been mentioned in the report that non-applicant Sukhdev Singh son of Gurdit Singh has already died.

Counsel for the State and respondent No. 2 have not disputed that the parties i.e. petitioners 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.58 dated 29.09.1994 for offence punishable under Sections 323, 324, 34 of the Indian Penal Code registered in Police Station Kahnuwan, District Gurdaspur and proceedings emanating therefrom stand quashed qua the petitioners.

02.11.2018

mamta

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

*Whether Reportable :**Yes/No*