

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-28992-2018

DATE OF DECISION: SEPTEMBER 26, 2018

PARMINDER SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI.

PRESENT: MR. JASWINDER SINGH GREWAL, ADVOCATE
FOR THE PETITIONER.

MR. KARANBIR SINGH, AAG, PUNJAB.

MS. PIYUSH SHARMA, 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.130 dated 24.8.2016 for offences punishable under Sections 341, 324, 323, 427, 506, 148 and 149 of the Indian Penal Code registered at Police Station Morinda, District Ropar/Rupnagar and proceedings emanating therefrom on the basis of compromise (Annexures P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of respondent No.2-Harvinder Singh @ Ladi son of Gurcharan Singh. Now, dispute between the parties has been resolved by way of compromise Annexure P-2.

Vide order dated 13.7.2018, the parties were directed to appear before the trial Court/Illaq Magistrate to get their statements recorded with regard to genuineness of the compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate 1st Class, Rupnagar wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter without any pressure or coercion in any manner.

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.130 dated 24.8.2016 for offence punishable under Sections 341, 324, 323, 427, 506, 148 and 149 of the Indian Penal Code registered at Police Station Morinda, District Ropar/Rupnagar and proceedings emanating therefrom stand quashed qua the petitioner.

September 26, 2018
Gulati

(RAJ SHEKHAR ATTRI)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No