

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

CRM-M No.28103 of 2017 (O&M)

Date of decision: 12.07.2018

Manju Rani and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. K.B.S. Mann, Advocate
for the petitioners.

Mr. M.S. Naryal, DAG, Punjab.

Mr. Arshit Goel, Advocate for
Mr. Vikas Garg, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.130 dated 27.08.2016 for offence punishable under Sections 306/34 of the Indian Penal Code (for short 'IPC'), registered at Police Station Canal Colony, Bathinda, District Bathinda and subsequent proceedings arising therefrom on the basis of compromise dated 15.07.2017 (Anneuxre P-2).

There was a dispute between deceased Tavinder Kumar Garg with his wife Manju Rani, relatives as well as with her brothers namely, Vinod Kumar and Vijay Kumar. Said Tavinder Kumar Garg committed suicide.

In the present case, the FIR was registered on the statement of Murti Devi widow of Kulwant Rai. Now, dispute between the parties has been resolved.

Vide order dated 11.08.2017, the parties were directed to appear before the Chief Judicial Magistrate/Illaq Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Additional Chief Judicial Magistrate, Bathinda 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 coercion or undue influence.

Learned counsel for the State as well as counsel for respondent No.2 have not disputed that the parties i.e. petitioners, 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 27.08.2016 for offence punishable under Sections 306/34 IPC, registered at Police Station Canal Colony, Bathinda, District Bathinda and proceedings emanating therefrom stand quashed qua the petitioners.

July 12, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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