

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

CRM-M-29107-2018 (O&M)

Date of decision: 19.12.2018

ROOP SINGH AND OTHERS.

...Petitioners

Versus

STATE OF PUNJAB AND ANOTHER.

..Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. A.S. Brar, Advocate
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. C.S. Jattana, Advocate
for the 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.135 dated 25.12.2017, registered under Sections 406, 420, 120-B of the Indian Penal Code (for short 'IPC') at Police Station Ajitwal, District Moga and subsequent proceedings arising therefrom on the basis of compromise.

In the present case, the FIR was registered on the statement of Gurmeet Kaur wife of Resham Singh. Now, dispute between the parties has been resolved.

Vide order dated 15.10.2018, 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 Judicial Magistrate Ist Class, wherein it has been reported that statements of the

parties have been recorded and compromise entered between the parties is genuine, voluntarily, out of their free will and without any pressure or coercion.

Learned State counsel as well as counsel for complainant-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 and FIR No.135 dated 25.12.2017, registered under Sections 406, 420, 120-B IPC at Police Station Ajitwal, District Moga and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

December 19, 2018
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(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned : yes/no

Whether reportable : yes/no