

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

CRM-M No.28835 of 2014
Date of decision: 21.03.2018

Surjit Kaur

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. Manju Sharma, Advocate for
Mr. G.S. Verma, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Mr. G.S. Sirpikhi, 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.11 dated 15.02.2014 for offence punishable under Sections 420, 120-B of the Indian Penal Code (for short 'IPC') registered at Police Station Sekhwan, Police District Batala, District Gurdaspur in view of judgment laid by Hon'ble Apex Court of India titled as *G. Sagar Suri Vs. State of U.P.*, 2000(1) R.C.R. (Criminal) 707 (Annexure P-2) and all subsequent proceedings against the petitioner.

In the present case, the FIR was registered on the statement of Sukhdev Singh son of Desa Singh. Now, dispute between the parties has been resolved.

Vide order dated 23.01.2018, the parties were directed to appear before the illaqa magistrate/trial court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Batala wherein it has been reported that statements of the parties recorded and compromise entered between the parties is genuine one and without any force and pressure.

Counsel for the State and respondent No.2 have not disputed that the parties i.e. petitioner, 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.11 dated 15.02.2014 for offence punishable under Sections 420, 120-B of the Indian Penal Code (for short 'IPC') registered at Police Station Sekhwan, Police District Batala, District Gurdaspur and proceedings emanating therefrom stand quashed qua the petitioner.

March 21, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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