

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

CRM-M No.30213 of 2016 (O&M)
Date of decision: 24.04.2018

Vaneet Nagpal

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Ashwani Kumar Dhingra, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Mr. P.S. Miglani, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.286 dated 28.11.2013 for offence punishable under Sections 420, 406 of the Indian Penal Code (for short 'IPC') registered at Police Station Beas, District Amritsar Rural (Annexure P-1) on the basis of compromise/affidavit (Annexure P-3) and subsequent proceedings arising therefrom.

In the present case, the FIR was registered on the statement of Sanjeev Bhandari son of Manohar Lal. Now, dispute between the parties has been resolved.

Vide order dated 12.02.2018, the parties were directed to appear before the trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Sub Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is voluntarily, out of their free will and without any pressure or coercion and is genuine one.

Counsel for the State as well as counsel for 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.286 dated 28.11.2013 for offence punishable under Sections 420, 406 of the Indian Penal Code (for short 'IPC') registered at Police Station Beas, District Amritsar Rural (Annexure P-1) and proceedings emanating therefrom stand quashed qua the petitioner.

April 24, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE