

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

CRM-M No.30978 of 2016 (O&M)

Date of decision: 21.02.2018

Malkiat Singh and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Vivek Salathia, Advocate
for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Dilpreet S. Gandhi, 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.56 dated 29.01.2008 for offence punishable under Sections 341, 387, 506 and 149 of the Indian Penal Code registered at Police Station Sadar, District Amritsar and proceedings emanating therefrom on the basis of compromise dated 15.09.2014 (Annexures P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Ajay Kumar son of Narinder Mohan Vij. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide order dated 05.09.2016, the parties were directed to appear before the Illaqa Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Amritsar wherein it has been reported that statements

of the parties recorded and compromise entered between the parties without any fear or pressure. Statement of accused Bobby Seth who was declared proclaimed offender on 03.02.2012 has also been recorded.

Counsel for the State and 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.56 dated 29.01.2008 for offence punishable under Sections 341, 387, 506 and 149 of the Indian Penal Code registered at Police Station Sadar, District Amritsar and proceedings emanating therefrom including PO order dated 03.02.2012 stand quashed qua the petitioners.

February 21, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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