

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

CRM-M No.31806 of 2016 (O&M)

Date of decision: 01.02.2018

Gurdial Singh and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Dheeraj Mahajan, Advocate,
for the petitioners.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

Mr. Rimple Saini, Advocate for
Mr. Bhim Singh, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.31 dated 31.05.2015 for offence punishable under Sections 323, 324, 148, 149 of the Indian Penal Code (offence under Section 326 IPC added later on) registered at Police Station Behrampur and proceedings emanating therefrom on the basis of compromise dated 02.09.2016 (Annexures P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Lok Nath son of Banarsi Dass. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide order dated 12.07.2017, 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, Gurdaspur through the District and Sessions Judge,

Gurdaspur wherein it has been reported that statements of the parties recorded and parties have entered into compromise out of their own free will and without any pressure, coercion or undue influence from any side.

Counsel for the State and respondent No. 2 have not disputed that the parties i.e. petitioners and 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.31 dated 31.05.2015 for offence punishable under Sections 323, 324, 148, 149 of the Indian Penal Code (offence under Section 326 IPC added later on) registered in Police Station Behrampur and proceedings emanating therefrom stand quashed qua the petitioners.

February 01, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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