

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

CRM-M No.329 of 2018 (O&M)

Date of decision: 23.04.2018

Jasvir Kaur and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: None for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Kunwar Rajan, Advocate
for respondents No.2 and 3.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.50 dated 05.05.2016 for offence punishable under Sections 323, 324, 452, 120-B of the Indian Penal Code (for short 'IPC') and Section 326 IPC (added later on) registered at Police Station Adampur, District Jalandhar on the basis of compromise (Annexure P-2) and subsequent proceedings arising therefrom.

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

Vide order dated 09.01.2018, the parties were directed to appear before the trial court 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, Jalandhar through the learned District and Sessions Judge, Jalandhar wherein it has been reported that statements of the

parties have been recorded and compromise entered between the parties is

with their free consent, sweet will, without any threat, pressure or undue influence.

Counsel for the State has not disputed that the parties i.e. petitioners, respondents No.2 and 3 (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.50 dated 05.05.2016 for offence punishable under Sections 323, 324, 452, 120-B of the Indian Penal Code (for short 'IPC') and Section 326 IPC (added later on) registered at Police Station Adampur, District Jalandhar and proceedings emanating therefrom stand quashed qua the petitioners.

April 23, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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