

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

CRM-M No.32287 of 2017 (O&M)

Date of Decision: 20.03.2018

Gurmukh Singh and another

. . . Petitioners

Versus

State of Punjab and another

. . . Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Deepak Kumar Bartia, Advocate
for the petitioners.

Mr. B.B. Menon, AAG, Punjab.

Mr. Ritesh Pandey, Advocate
for respondent No.2.

Raj Shekhar Attri, J. (Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of DDR No.26 dated 12.10.2007 for offence punishable under Sections 323, 325, 506, 148 and 149 of the Indian Penal Code (for short 'IPC') in case FIR No.95 dated 12.10.2007, for the offences punishable under Sections 326, 323, 34 IPC, registered at Police Station Ranger Nangal, Police District Batala, District Gurdaspur and proceedings emanating therefrom on the basis of compromise (Annexures P-4) arrived at between the parties.

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In the present case, the DDR was registered on the statement of Joginder Kaur wife of Buta Singh. Now, dispute between the parties has been resolved by way of compromise Annexures P-4.

Vide order dated 22.01.2018, 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 Sub Divisional Judicial Magistrate, Batala, wherein it has been reported that statements of the parties recorded and compromise entered between the parties is genuine, voluntarily and out of free will.

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.

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For the foregoing reasons, the petition is allowed, DDR No.26 dated 12.10.2007 for offence punishable under Sections 323, 325, 506, 148 and 149 of the Indian Penal Code (for short 'IPC') in case FIR No.95 dated 12.10.2007, for the offences punishable under Sections 326, 323, 34 IPC, registered at Police Station Ranger Nangal, Police District Batala, District Gurdaspur, and proceedings emanating therefrom stand quashed qua the petitioners.

[RAJ SHEKHAR ATTRI]
JUDGE

March 20, 2018
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Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No