

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

CRM-M No.33214 of 2016
Date of decision: 28.02.2018

Baljit Kaur and others

...Petitioners

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. P.K.S. Phoolka, Advocate
for the petitioners.

Mr. V.G. Jauhar, Senior DAG, Punjab.

None for respondents No.2 and 3.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.136 dated 12.07.2011 for offence punishable under Sections 380, 420, 467, 468, 471, 506 and 120-B of the Indian Penal Code (for short 'IPC') registered at Police Station Kotwali Bathinda, District Bathinda and proceedings emanating therefrom on the basis of compromise (Annexures P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Nasib Chand Singla son of Assa Ram. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide order dated 19.09.2016, 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 Judicial Magistrate Ist Class, Bathinda wherein it has been reported that statements

of the parties recorded and compromise entered between the parties is genuine, voluntarily and without any coercion or undue influence.

Counsel for the State 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.136 dated 12.07.2011 for offence punishable under Sections 380, 420, 467, 468, 471, 506 and 120-B of the Indian Penal Code (for short 'IPC') registered at Police Station Kotwali Bathinda, District Bathinda and proceedings emanating therefrom stand quashed qua the petitioners.

February 28, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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