

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 33039 of 2017

Date of decision: 08.02.2018

Parminderpal Singh and others

...Petitioners

VERSUS

Jaspal Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. G.S. Sirphikhi, Advocate
for the petitioners.

Mr. Vishal Sodhi, Advocate
for respondents No.1 and 2.

Mr. Karanbir Singh, AAG, Punjab.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of complaint bearing No. 22 dated 16.03.2012 for offence punishable under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code and proceedings emanating therefrom on the basis of compromise (Annexures P-4) arrived at between the parties.

In the present case, the complaint was registered on the statement of complainant/respondent No.1. Now, dispute between the parties has been resolved by way of compromise Annexures P-4.

Vide order dated 10.11.2017, 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 Additional Sessions Judge, Gurdaspur wherein it has been reported that statements of the parties have been recorded and the parties have voluntarily compromised the matter without any threat, coercion or fear and same has done with the free consent of the parties.

Counsel for the State and respondent Nos.1 & 2 have not disputed that the parties i.e. petitioners and respondent No.1 (complainant) and respondent No.2 have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the complaint 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, complaint bearing No. 22 dated 16.03.2012 for offence punishable under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code and proceedings emanating therefrom stand quashed qua the petitioners.

February 08, 2018

sahil soni

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned : yes/no

Whether reportable : yes/no

Sahil Soni
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I attest to the accuracy and
integrity of this document