

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

CRM-M No.35464 of 2017 (O&M)

Date of decision: 02.05.2018

Amrik Singh

...Petitioner

VERSUS

Kuldeep Kaur and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. L.S. Sidhu, Advocate
for the petitioner.

None for respondent No.1.

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

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of criminal complaint titled as **Kuldeep Kaur vs. Amrik Singh**, under Sections 295-A, 332, 353, 186, 500, 506 of the Indian Penal Code (for short 'IPC') read with Section 3(i) (ii) as well as 3(1) (vi) and 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, SC-41-2017, CNR No.PBMN010011202017, pending before the Additional Sessions Judge, Mansa (Annexure P-1); summoning order dated 07.12.2016, whereby the petitioner has been summoned to face trial under Sections 295-A, 332, 353, 186, 500, 506 IPC and Section 3(i) (ii) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Annexure P-2); commitment order dated 11.04.2017 passed by the Judicial Magistrate Ist Class, Mansa, whereby the complaint was ordered to be committed to the learned Sessions Judge, Mansa and petitioner/accused was directed to appear

before Sessions Court, Mansa (Annexure P-4); order of framing charge

dated 28.07.2017 (Annexure P-5), passed by the Additional Sessions Judge, Mansa whereby charge under Section 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been ordered to be framed against the petitioner/accused and all consequential proceedings therefrom on the basis of compromise deed dated 13.09.2017 (Annexure P-7).

In the present case, the complaint was instituted by the Kuldeep Kaur daughter of Sukhwinder Singh. Now, dispute between the parties has been resolved.

Vide order dated 02.02.2018, 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 Additional District and Sessions Judge, Mansa wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is voluntarily, without any inducement, threat, pressure and is genuine.

Counsel for the State has not disputed that the parties i.e. petitioner, respondent No.1 (complainant) have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the complainant 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, criminal complaint titled as **Kuldeep Kaur vs. Amrik Singh**, under Sections 295-A, 332, 353, 186, 500, 506 IPC read with Section 3(i) (ii) as well as 3(1) (vi) and 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, SC-41-2017, CNR No.PBMN010011202017, pending for 27.09.2017 before the Additional Sessions Judge, Mansa (Annexure P-1); summoning order dated 07.12.2016, (Annexure P-2); commitment order dated 11.04.2017 (Annexure P-4); order of framing charge dated 28.07.2017 and proceedings emanating therefrom stand quashed qua the petitioner.

May 02, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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