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

CRM-M No.3573 of 2017 (O&M)

Date of decision: 14.03.2018

Lakhvir Singh @ Lucky Singh and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Jatinder Pal Singh Brar, Advocate
for the petitioners.

Mr. K.S. Aulakh, DAG, Punjab.

Ms. Jatinder Kaur, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

CRM-9051-2018

Application is allowed as prayed for.

Annexures P-4 and P-5 are taken on record subject to just
exceptions.

CRM-M-3573-2017

By invoking Section 482 Cr.P.C., the petitioners have prayed
for quashing of FIR No.36 dated 16.04.2016 for offence punishable under
Sections 365, 511, 467, 323, 506, 379-B, 148 and 149 of the Indian Penal
Code (for short 'IPC') registered at Police Station Dhul, District Bathinda
and proceedings emanating therefrom on the basis of compromise
(Annexures P-3) arrived at between the parties.

In the present case, the FIR was registered on the statement of
Sukhchain Singh @ Bunty son of Gurdit Singh. Now, dispute between the

parties has been resolved by way of compromise Annexures P-3.

Vide order dated 12.09.2017, 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, Phul wherein it has been reported that statements of the parties recorded and compromise entered between the parties is voluntarily, without any pressure or coercion.

Counsel for the State and respondent No.2 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.36 dated 16.04.2016 for offence punishable under Sections 365, 511, 467, 323, 506, 379-B, 148 and 149 of the Indian Penal Code (for short 'IPC') registered at Police Station Dhul, District Bathinda and proceedings emanating therefrom stand quashed qua the petitioners.

March 14, 2018

m. sharma

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned :
Whether reportable :

yes/no
yes/no