

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

CRM-M No.36312 of 2017 (O&M)

Date of decision: 02.05.2018

Paramjit Singh and others

...Petitioners

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. B.S. Bairagi, Advocate
for the petitioners.

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

None for respondents No.4 and 5.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.23 dated 29.03.2011 for offence punishable under Sections 364, 120-B and 34 of the Indian Penal Code (for short 'IPC'), registered at Police Station Sidhwan Bet, District Ludhiana (Rural), Punjab (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise/affidavit (Annexure P-2).

In the present case, the FIR was registered on the statement of Kulwinder Singh son of Roop Singh. Now, dispute between the parties has been resolved.

Vide orders dated 28.09.2017 and 05.02.2018, 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 Judicial Magistrate Ist Class, Jagraon wherein it has been reported that statements of

the parties have been recorded and compromise entered between the parties

is with their own will and without any coercion or pressure from any corner and same is found to be genuine.

Counsel for the State has not disputed that the parties i.e. petitioners, respondent No.5 (complainant) and respondent No.4 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.23 dated 29.03.2011 for offence punishable under Sections 364, 120-B and 34 IPC, registered at Police Station Sidhwan Bet, District Ludhiana (Rural), Punjab (Annexure P-1) and proceedings emanating therefrom stand quashed qua the petitioners.

May 02, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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