

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

CRM-M No.37376 of 2016 (O&M)

Date of decision: 20.02.2018

Amrik Singh

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Vishal Munjal, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.29 dated 16.03.2014 for offence punishable under Sections 447, 420 of the Indian Penal Code registered at Police Station Sadar, Gurdaspur, District Gurdaspur, Punjab and proceedings emanating therefrom on the basis of compromise dated 05.08.2016 (Annexures P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Ravinder Kaur wife of Bal Harjit Singh. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide order dated 27.10.2016, the parties were directed to appear before the trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise. Statement of complainant Ravinder Kaur recorded through her authorized attorney Paramjit Kaur. Learned counsel for the petitioner submitted that same attorney represented her in

State of Punjab and another which was quashed. In this case also the statement of Ravinder Kaur has been recorded through her attorney.

Pursuant thereto, a report has been submitted by the Additional Chief Judicial Magistrate, Gurdaspur through District and Sessions Judge, Gurdaspur wherein it has been reported that statements of the parties recorded and compromise entered between the parties is without undue influence, coercion or threat.

Counsel for the State and respondent No. 2 have not disputed that the parties i.e. petitioner, 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.29 dated 16.03.2014 for offence punishable under Sections 447, 420 of the Indian Penal Code registered at Police Station Sadar, Gurdaspur, District Gurdaspur, Punjab and proceedings emanating therefrom stand quashed qua the petitioner.

February 20, 2018

m. sharma

**(RAJ SHEKHAR ATTRI)
JUDGE**