

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

CRM-M-38094-2018

Date of decision: 23.10.2018

Hari Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Ashish Goklaney, Advocate and
Mr. Raman Goklaney, Advocate
for the petitioners.

Ms. Samina Dhir, DAG, Punjab.

Mr. Rahul Arora, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of cross version case entered vide Rapat No.22 dated 22.07.2012, under Sections 324 and 323 of the Indian Penal Code (for short 'IPC') (Section 326 IPC added later on) in FIR No.93 dated 22.07.2012, under Sections 323, 324, 341, 34 IPC, registered at Police Station Ghall Khurd, District Ferozepur and subsequent proceedings arising on the basis of compromise dated 24.08.2018 (Annexure P-3).

In the present case, the rapat was registered on the statement of Satinder Singh son of Harbans Singh. Now, dispute between the parties has been resolved.

Vide order dated 31.08.2018, the parties were directed to appear before the learned trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned

Judicial Magistrate Ist Class, Ferozepur wherein it has been reported that

statements of the parties have been recorded and compromise entered between the parties is genuine, voluntary, without any sort of pressure or coercion from any corner.

Learned counsel for the State as well as learned counsel for 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 rapar 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 and cross version case entered vide Rapar No.22 dated 22.07.2012, under Sections 324 and 323 IPC (Section 326 IPC added later on) in FIR No.93 dated 22.07.2012, under Sections 323, 324, 341, 34 IPC, registered at Police Station Ghall Khurd, District Ferozepur and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua the petitioners.

October 23, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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