

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

CRM-M No.37206 of 2017 (O&M)

Date of decision: 28.02.2018

Jagmeet Singh and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. P.P.S. Brar, Advocate
for the petitioners.

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

Dr. D.P.S. Randhawa, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.107 dated 15.09.2016 for offence punishable under Sections 324, 323, 148, 149 of the Indian Penal Code (for short 'IPC') and offences under Sections 325, 326 and 452 IPC (added later on) registered at Police Station Jaitu, District Faridkot and proceedings emanating therefrom on the basis of compromise (Annexures P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Binder Singh @ Bhola son of Ajit Singh. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide order dated 15.12.2017, the parties were directed to appear before the trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Sub Divisional Judicial Magistrate, Jaitu through the District & Sessions Judge,

Faridkot wherein it has been reported that statements of the parties recorded

and compromise entered between the parties is genuine, voluntarily and without any pressure or undue influence.

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.107 dated 15.09.2016 for offence punishable under Sections 324, 323, 148, 149 of the Indian Penal Code (for short 'IPC') and offences under Sections 325, 326 and 452 IPC (added later on) registered at Police Station Jaitu, District Faridkot and proceedings emanating therefrom stand quashed qua the petitioners.

February 28, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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