

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

CRM-M-37833-2015 (O&M)

Date of decision: 8.2.2018

Darshan Singh and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. PPS Tung, Advocate,
for the petitioners.
Mr. Karanbir Singh, AAG, Punjab.
Mr. S.N.Sharma, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

CRM-3677-2018

Allowed as prayed for and copy of judgment dated 18.11.2016 is taken on record subject to all just exceptions.

Main case

By invoking Section 482 Code of Criminal Procedure (In short, "Cr.P.C."), the petitioners have prayed for quashing of FIR No. 47 dated 30.4.2015 for offence punishable under Sections 353, 186, 427, 506, 447, 511, 148 of the Indian Penal Code (in short, "IPC") registered at Police Station Dialpura, District Bathinda and proceedings emanating therefrom on the basis of affidavits with regard to compromise (Annexures P-2) arrived at between the parties.

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

Vide order dated 23.8.2017, 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, 1st Class, Phul wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter without any pressure, threat or coercion.

Counsel for the State and respondent No. 2 have not disputed that the parties i.e. petitioners and 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. 47 dated 30.4.2015 under Sections 353, 186, 427, 506, 447, 511, 148 IPC registered at Police Station Dialpura, District Bathinda and proceedings emanating therefrom stand quashed qua the petitioners.

(RAJ SHEKHAR ATTRI)
JUDGE

February 8, 2018
Paritosh Kumar

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