

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M No.39164 of 2018 (O&M)  
Date of Decision: 23.10.2018.

Hardeep Singh and another

...Petitioners

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI**

Present: Mr. Jagmeet Singh Moudgil, Advocate for the petitioners.

Ms. Samina Dhir, DAG, Punjab.

Mr. Satish Singla, Advocate  
for respondent Nos.2 and 3.

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**RAJ SHEKHAR ATTRI J. (ORAL)**

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.115 dated 20.10.2015 for the offences punishable under Sections 406/420 of the Indian Penal Code (for short 'IPC'), registered at Police Station Jhulka, District Patiala (Annexure P-1) and all the proceedings emanating therefrom on the basis of compromise dated 27.08.2018 (Annexure P-2) arrived at between the parties.

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

Reply by way of affidavit of Sh. Gurdev Singh Dhaliwal, P.P.S. Deputy Superintendent of Police (Rural), Patiala has been filed today in Court on behalf of respondent No.1/State of Punjab. The same is taken on record. Copy thereof be supplied to counsel opposite.

Vide order dated 07.09.2018, 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 learned Judicial Magistrate Ist Class, Patiala, wherein it has been reported that statements of the parties have been recorded that the compromise is genuine, voluntary, without any undue influence, coercion or pressure.

Counsel for the State as well as counsel for respondent Nos.2 and 3 have not disputed that the parties i.e. petitioners and respondent Nos.2 and 3 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.115 dated 20.10.2015 for the offences punishable under Sections 406/420 of the Indian Penal Code (for short 'IPC'), registered at Police Station Jhulka, District Patiala (Annexure P-1) and all the proceedings emanating therefrom on the basis of compromise stand quashed qua the petitioners.

23.10.2018  
rekha sharma

(RAJ SHEKHAR ATTRI)  
JUDGE

*Whether speaking/reasoned*  
*Whether reportable*

*Yes/No*  
*Yes/No*