

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

**CRM-M-41402-2018 (O&M)
Date of decision: 06.12.2018**

Akashdeep Singh @ Akash and another

...Petitioners

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Gursimran Singh Bawa, Advocate
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. S.N. Sharma, Advocate for
Mr. Bhupinder Singh, 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 FIR No.190 dated 06.09.2018, registered under Sections 379-B and 34 of the Indian Penal Code (for short 'IPC') at Police Station Jandiala, District Amritsar Rural and subsequent proceedings arising therefrom on the basis of compromise dated 15.09.2018 (Annexure P-2).

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

Vide order dated 20.09.2018, the parties were directed to appear before the learned trial court/Illaq 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, Amritsar wherein it has been reported that

statements of the parties have been recorded and compromise entered between the parties is without any fear, pressure, threat or coercion and out of their free will. It is further submitted that as per the statement of petitioner No.1-Akashdeep Singh @ Akash his correct address is Gali Harbahajan Singh Wali, Mohalla Nanaksar, Tarn Taran and petitioner No.2-Balkar Singh @ Preet correct address is Kaler Bagrian Tarn Taran.

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 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 and FIR No.190 dated 06.09.2018, registered under Sections 379-B and 34 IPC at Police Station Jandiala, District Amritsar Rural and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

December 06, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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