

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

CRM-M-40954 of 2017

Date of Decision: 23-01-2018

Deepak Singh

.....Petitioner

v.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJ SHEKHAR ATTRI

Present: Mr.Amit Arora, Advocate
for the petitioner.

Mr.Karanbir Singh, AAG, Punjab.

Mr.Parminder Singh Kanwar, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J. (ORAL)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.151 dated 6.8.2017 for offence punishable under Sections 336/427/148/149 of the Indian Penal Code and Sections 25/54 of the Arms Act registered in Police Station Sadar Tarn Taran 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 Harbhej Singh son of Amrik Singh. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide order dated 1.11.2017, 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 Additional Chief Judicial Magistrate, Tarn Taran wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State and respondent No. 2 have not disputed that the parties i.e. petitioner 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.151 dated 6.8.2017 for offence punishable under Sections 336/427/148/149 of the Indian Penal Code and Sections 25/54 of the Arms Act registered in Police Station Sadar Tarn Taran and proceedings emanating therefrom stand quashed qua the petitioners.

(RAJ SHEKHAR ATTRI)
JUDGE

January 23, 2018
RC

Whether speaking/reasoned?
Whether reportable?

Yes
Yes/No