

CRM-M-42611-2016

Vide orders dated 30.1.2018, 2.4.2018 and 13.7.2018, the parties were directed to appear before the trial Court/Illaq Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Addl. 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 without any pressure or coercion in any manner.

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.39 dated 21.4.2016 for offences punishable under Sections 457, 380 and 120-B of the Indian Penal Code registered at Police Station Jhabal, District Tarn Taran and proceedings emanating therefrom stand quashed qua the petitioners.

September 26, 2018
Gulati

(RAJ SHEKHAR ATTRI)
JUDGE

Whether Reportable : Yes/No
Whether Speaking/Reasoned : Yes/No