

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM M No.4284 of 2018 (O&M)  
Date of Decision: 04.07.2018.

Jagdish Kapoor and others

..Petitioners

Versus

State of Punjab and another

... Respondents

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

Present: Mr. S.S. Behl, Advocate for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

None for respondent No.2.

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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.28 dated 30.01.2006 for offence punishable under Sections 420, 406, 467, 468, 471, 120B of the Indian Penal Code (for short 'IPC'), registered at Police Station Division No.5, Ludhiana, (Annexure P-1) and proceedings emanating therefrom on the basis of compromise dated 04.12.2017 (Annexure P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Surinder Kaur. Now, dispute between the parties has been resolved by way of compromise dated 04.12.2017 (Annexure P-2).

Vide orders dated 02.02.2018 and 02.04.2018, 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 Additional

District and Sessions Judge, Ludhiana, wherein it has been reported that statements of the parties have been recorded that the compromise is genuine and valid one which has ex-facie been entered into between the parties with their free volition, without any inducement or threat.

Counsel for the State has not disputed that the parties i.e. petitioners 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.28 dated 30.01.2006 for offence punishable under Sections 420, 406, 467, 468, 471, 120B of the Indian Penal Code (for short 'IPC'), registered at Police Station Division No.5, Ludhiana, (Annexure P-1) and proceedings emanating therefrom stand quashed qua the petitioners.

July 04, 2018  
rekha sharma

(RAJ SHEKHAR ATTRI)  
JUDGE

*whether speaking/reasoned*  
*whether reportable*

*Yes/No*  
*Yes/No*