

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

CRM-M No.4351 of 2018 (O&M)

Date of decision: 02.04.2018

Harjinder Singh

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Rimple Saini, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Saleem Malik, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.196 dated 28.09.2017 for offence punishable under Sections 326, 323, 341, 506, 148, 149 of the Indian Penal Code (for short 'IPC') registered at Police Station Civil Lines Batala on the basis of compromise (Annexure P-2) and subsequent proceedings arising therefrom.

In the present case, the FIR was registered on the statement of Suresh Kumar @ Shallu son of Jagdish Lal. Now, dispute between the parties has been resolved.

Vide order dated 02.02.2018, the parties were directed to appear before the trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Batala wherein it has been reported that statements of

the parties recorded and compromise entered between the parties is genuine and not the result of any pressure or coercion.

Counsel for the State and respondent No.2 have not disputed that the parties i.e. petitioner, 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.196 dated 28.09.2017 for offence punishable under Sections 326, 323, 341, 506, 148, 149 of the Indian Penal Code (for short 'IPC') registered at Police Station Civil Lines Batala and proceedings emanating therefrom stand quashed qua the petitioner.

April 02, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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