

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

**Criminal Misc. No.M-42900 of 2017 (O&M)**  
**Date of decision : 10.08.2018**

Kamal Grover and others

... Petitioners

Versus

State of Punjab and another

... Respondents

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

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Present: Mr. Brijeshwar Singh Bhalla, Advocate  
for the petitioners.

Mr. M.S.Naryal, DAG, Punjab.

Mr. Nitin Rathore, Advocate  
for Mr. Shivender Pal, Advocate  
for respondent No.2-complainant.

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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.195 dated 21.07.2017, registered under Sections 452, 324, 380, 427, 148, 149 IPC (Section 380 IPC added lateron) at Police Station City Kapurthala, District Kapurthala and proceedings emanating therefrom on the basis of compromise (Annexures P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Harish Sharma son of Ram Lal Sharma. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide order dated 22.01.2018, 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 Chief Judicial Magistrate, Kapurthala 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.195 dated 21.07.2017, registered under Sections 452, 324, 380, 427, 148, 149 IPC (Section 380 IPC added lateron) at Police Station City Kapurthala, District Kapurthala and proceedings emanating therefrom stand quashed qua the petitioners.

10.08.2018

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( RAJ SHEKHAR ATTRI)  
JUDGE

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No