

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

CRM-M No.43036 of 2017 (O&M)
Date of decision: 02.04.2018

Manish Aggarwal and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Surinder Singh Walia, Advocate
for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

None for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.182 dated 29.10.2016 for offence punishable under Sections 406, 420 of the Indian Penal Code (for short 'IPC') registered at Police Station Sadar, Ludhiana 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 Ravi Jindal son of Bhushan Kumar Jindal. Now, dispute between the parties has been resolved.

Vide orders dated 15.11.2017 and 30.01.2018, 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 Judicial Magistrate Ist Class, Ludhiana through the District and Sessions Judge, Ludhiana wherein it has been reported that statements of the parties have

been recorded and compromise entered between the parties is genuine, voluntary and without any coercion or undue influence.

Counsel for the State has not disputed that the parties i.e. petitioners, 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.182 dated 29.10.2016 for offence punishable under Sections 406, 420 of the Indian Penal Code (for short 'IPC') registered at Police Station Sadar, Ludhiana and proceedings emanating therefrom stand quashed qua the petitioners.

April 02, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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