

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

CRM-M-44321-2018 (O&M)

Date of decision: 05.12.2018

Lovepreet Singh

...Petitioner

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Rakesh Gupta, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Mr. Chetan Kapoor, 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.163 dated 12.08.2017, registered under Sections 379, 411, 473 of the Indian Penal Code (for short 'IPC') at Police Station Kotwali, District Patiala and subsequent proceedings arising therefrom on the basis of compromise dated 29.09.2018 (Annexure P-2).

In the present case, the FIR was registered on the statement of Jaspreet Singh son of Kaka Singh. Now, dispute between the parties has been resolved.

Vide order dated 08.10.2018, the parties were directed to appear before the learned trial court/Illaq Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Chief Judicial Magistrate, Patiala (Punjab) wherein it has been reported that statements of the parties have been recorded and compromise entered between

the parties is genuine, voluntary, without coercion, threat or undue influence and an outcome of free will and consent.

Learned counsel for the State has 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 and FIR No.163 dated 12.08.2017, registered under Sections 379, 411, 473 IPC at Police Station Kotwali, District Patiala and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioner.

December 05, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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