

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.No.M-45419 of 2016 (O&M)
Date of decision : 20.04.2018

Mohan Singh and another

... Petitioners

Versus

Beant Singh and another

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. A.K.Walia, Advocate
for the petitioner.

Mr. Digvijay Nagpal, Advocate
for respondent No.1.

Mr. Luvinder Sofat, AAG, Punjab.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of criminal complaint No.190 dated 25.10.2007, under Sections 323, 343, 500, 506, 34 IPC filed by respondent No.1 against the petitioners as well as judgment dated 28.10.2013 and proceedings emanating therefrom on the basis of compromise (Annexures P-2) arrived at between the parties.

In the present case, the criminal complaint was registered by respondent No.1 Beant Singh son of Sh.Bansi Singh. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide order dated 07.02.2018, the parties were directed to appear before the appellate Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Addl.

Sessions Judge, Mansa wherein it has been reported that statements of the

parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State and respondent No. 1 have not disputed that the parties i.e. petitioner and respondent No.1 (complainant) have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the criminal complaint 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, criminal complaint No.190 dated 25.10.2007, under Sections 323, 343, 500, 506, 34 IPC, filed by respondent No.1 against the petitioners as well as judgment dated 28.10.2013 and proceedings emanating therefrom stand quashed qua the petitioners.

20.04.2018
mamta-M

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No