

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.4570 of 2018 (O&M)
Date of Decision:30.08.2018.

Amardeep Singh and another

...Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. R.S. Bajaj, Advocate for the petitioners.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

Mr. Shivam Arora, Advocate
for respondent Nos.2 and 3.

RAJ SHEKHAR ATTRI J. (ORAL)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.08 dated 17.01.2018 for offence punishable under Sections 420/406/120B of the Indian Penal Code (for short 'IPC'), registered at Police Station Division No.4, District Jalandhar (Annexure P-1) and proceedings emanating therefrom on the basis of compromise (Annexure P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Gurmej Singh Surma-complainant. Now, dispute between the parties has been resolved by way of compromise (Annexure P-2).

Vide orders dated 05.02.2018 and 04.04.2018, 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, Jalandhar, wherein it has been reported that statements of the parties have been recorded that the compromise is genuine and valid one which has ex-

facie been entered into between the parties with their free volition, without any inducement or threat.

Learned counsel for respondent Nos.2 and 3 has placed on record photocopy of the affidavit on behalf of respondent Nos.2 and 3 regarding compromise.

Counsel for the State as well as counsel for respondent Nos.2 and 3 have not disputed that the parties i.e. petitioners and respondent Nos.2 and 3 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.08 dated 17.01.2018 for offence punishable under Sections 420/406/120B of the Indian Penal Code (for short 'IPC'), registered at Police Station Division No.4, District Jalandhar (Annexure P1) and proceedings emanating therefrom stand quashed qua the petitioners.

(RAJ SHEKHAR ATTRI)
JUDGE

30.08.2018
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whether speaking/reasoned
whether reportable

Yes/No
Yes/No