

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

CRM-M No.44993 of 2017 (O&M)

Date of decision: 16.04.2018

Arvind Singh and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Atul Goyal, Advocate
for the petitioners.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Parvez Chugh, Advocate
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.85 dated 27.07.2017 for offence punishable under Sections 343, 323, 148, 149, 506 of the Indian Penal Code (for short 'IPC') (Section 452 IPC added later on) registered at Police Station Khamano, District Fatehgarh Sahib 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 Sahib Singh son of Satpal Singh. Now, dispute between the parties has been resolved.

Vide order dated 24.01.2018, the parties were directed to appear before the trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Sub

Divisional Judicial Magistrate, Khamanon through the District and Sessions

Judge, Fatehgarh Sahib wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is genuine, voluntary, without any pressure or undue influence and out of their own free will.

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.85 dated 27.07.2017 for offence punishable under Sections 343, 323, 148, 149, 506 of the Indian Penal Code (for short 'IPC') (Section 452 IPC added later on) registered at Police Station Khamano, District Fatehgarh Sahib and proceedings emanating therefrom stand quashed qua the petitioners.

April 16, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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