

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

CRM-M No. 45793 of 2017

Date of decision: 08.02.2018

Gagandeep Singh @ Gagna and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. A.P. Kaushal, Advocate
for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

Mr. R.S. Dhillon, Advocate for
Mr. S.S. Brar, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No. 212 dated 17.11.2017 for offence punishable under Sections 452, 427, 506, 148 and 149 of the Indian Penal Code registered at Police Station Model Town, District Hoshiarpur and proceedings emanating therefrom on the basis of affidavits with regard to compromise (Annexure P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Gurmukh Singh s/o Baldev Singh. Now, dispute between the parties has been resolved by way of compromise Annexure P-2.

Vide order dated 01.12.2017, 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 Chief Judicial Magistrate, District Hoshiarpur wherein it has been reported that statements of the parties have been recorded without pressure, coercion and same has done with the free consent of the parties.

Counsel for the State and respondent No. 2 have not disputed that the parties i.e. petitioners and 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. 212 dated 17.11.2017 for offence punishable under Sections 452, 427, 506, 148 and 149 of the Indian Penal Code registered at Police Station, Model Town,

District Hoshiarpur and proceedings emanating therefrom stand quashed qua the petitioners.

February 08, 2018
sahil soni

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned : yes/no

Whether reportable : yes/no