

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

CRM-M No.46068 of 2017 (O&M)

Date of decision: 10.05.2018

Sukhpreet Singh and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Raj Kumar, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Bhim Singh, Advocate for
Mr. Balbir Saini, 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.116 dated 25.11.2015 for offence punishable under Sections 341, 323, 506, 148 and 149 of the Indian Penal Code (for short 'IPC') and Section 324 IPC added later on, registered at Police Station Ajitwal and subsequent proceedings arising therefrom on the basis of compromise (Anneuxre P-2).

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

Vide order dated 04.12.2017, 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 Judicial

the parties i.e. complainant and petitioners namely, Sukhpreet Singh, Pavitter Singh, Kulwinder Singh, Sukhwinder Singh, Harmel Singh have been recorded but accused Khushwinderpal Sharma has not appeared in this case and compromise entered between the parties is voluntarily, free from any duress or inducement.

Counsel for the State as well as respondent No.2 have 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.116 dated 25.11.2015 for offence punishable under Sections 341, 323, 506, 148 and 149 IPC and Section 324 IPC added later on, registered at Police Station Ajitwal and proceedings emanating therefrom stand quashed qua the petitioners. Proceedings qua Khushwinderpal Sharma shall continue as per law.

May 10, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE