

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

CRM-M No.47276 of 2017 (O&M)
Date of decision: 24.04.2018

Jaswinder Singh and others

...Petitioners

VERSUS

UT of Chandigarh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Sachit Kaushal, Advocate
for the petitioners.

Mr. Rajiv Vij, Additional P.P. UT Chandigarh.

Ms. Priyanka Puri, 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.19 dated 14.01.2016 for offence punishable under Sections 147, 148, 149, 323, 506 of the Indian Penal Code (for short 'IPC') registered at Police Station Industrial Area, Chandigarh (Annexure P-1) on the basis of compromise dated 24.11.2017 (Annexure P-2) and subsequent proceedings arising therefrom.

In the present case, the FIR was registered on the statement of Harpreet Kaur wife of Harmohan Singh. Now, dispute between the parties has been resolved.

Vide order dated 07.02.2018, 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 learned

Sessions Judge, Chandigarh wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is with their free will, without any threat, coercion or undue influence from any corner, which is proper and genuine.

Counsel for the State of UT Chandigarh and counsel for 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.19 dated 14.01.2016 for offence punishable under Sections 147, 148, 149, 323, 506 of the Indian Penal Code (for short 'IPC') registered at Police Station Industrial Area, Chandigarh (Annexure P-1) and proceedings emanating therefrom stand quashed qua the petitioners.

April 24, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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