

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

CRM-M No.4940 of 2018

Date of Decision: 18.04.2018

Gurlal Singh and another

. . . Petitioners

Versus

State of Punjab and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Gurpreet Singh, Advocate
for the petitioners.

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

Mr. Harpal Singh, Advocate
for respondent Nos.2 to 4.

Raj Shekhar Atttri, J. (Oral)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.256 dated 19.12.2017 for offence punishable under Sections 364, 506, 34 of the Indian Penal Code (for short 'IPC') registered at Police Station Cantonment, Amritsar and proceedings emanating therefrom on the basis of compromise (Annexures P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Gurbinder Singh son of Jagraj Singh. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

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Vide order dated 06.02.2018, the parties were directed to appear before the illaqa magistrate/trial court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Amritsar wherein it has been reported that statements of the parties recorded and compromise entered between the parties is genuine, voluntarily and out of free will.

Counsel for the State and respondent No.2 to 4 (complainant party) have not disputed that the parties i.e. petitioners and respondent Nos.2 to 4 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.256 dated 19.12.2017 for offence punishable under Sections 364, 506, 34 of the Indian Penal Code (for short 'IPC') registered at Police Station

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Cantonment, Amritsar and proceedings emanating therefrom stand quashed qua the petitioner.

[RAJ SHEKHAR ATTRI]
JUDGE

April 18, 2018
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Whether Speaking/reasoned : Yes/No
Whether Reportable : Yes/No