

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

CRM-M No.48665 of 2017 (O&M)

Date of Decision: 18.04.2018

Manoj Kumar and others

. . . Petitioners

Versus

State of Punjab and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

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

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

Mr. Yagyaang Ajay, Advocate
for respondent Nos.2 and 3.

Raj Shekhar Atttri, J. (Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.105 dated 22.06.2017 for offence punishable under Sections 452, 323, 324, 148 and 149 of the Indian Penal Code (for short 'IPC') registered at Bhargo Camp, District Police Commissionerate, Jalandhar and proceedings emanating therefrom on the basis of compromise arrived at between the parties.

In the present case, the FIR was registered on the statement of Prem Kumar son of Ram Chand. Now, dispute between the parties has been resolved by way of compromise.

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Vide order dated 05.02.2018, 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 Judicial Magistrate Ist Class, Jalandhar, 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 and no accused has been declared as proclaimed offender in this case.

Counsel for the State and respondent Nos.2 and 3 have not disputed that the parties i.e. petitioners, respondent Nos.2 and 3 (complainant party) 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.105 dated 22.06.2017 for offence punishable under Sections 452, 323,

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324, 148 and 149 of the Indian Penal Code (for short ‘IPC’) registered at Bhargo Camp, District Police Commissionerate, Jalandhar and proceedings emanating therefrom stand quashed qua the petitioners.

[RAJ SHEKHAR ATTRI]
JUDGE

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