

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

CRM-M No.5655 of 2017 (O&M)
Date of decision: 27.08.2018

Sarabjit Singh

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. M.S. Saini, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

Mr. Minkal Thatai, Advocate for
Mr. Harjeet Sarwara, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.248 dated 02.09.2014 for the offence punishable under Section 420 of the Indian Penal Code (for short 'IPC') registered at Police Station Dharamkot, District Moga and subsequent proceedings arising therefrom on the basis of compromise (Annexure P-1).

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

Vide order dated 20.07.2017, the parties were directed to appear before the learned 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, Moga wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is genuine and without any pressure or coercion.

Learned counsel for the State as well as learned counsel for respondent No.2 have not disputed that the parties i.e. petitioner, 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.248 dated 02.09.2014 for the offence punishable under Section 420 IPC registered at Police Station Dharamkot, District Moga and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua the petitioner.

August 27, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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