

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

CRM-M No.7879 of 2017 (O&M)

Date of decision: 29.1.2018

Avtar Singh

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Digvijay Nagpal, Advocate,
for the petitioner.

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

Mr. Sanjeev Kumar, Advocate for
Mr. Nikhil Bhatia, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.12 dated 23.01.2017 for offence punishable under Sections 379-B and 511 of the Indian Penal Code registered in Police Station Jaito, District Faridkot and proceedings emanating therefrom on the basis of affidavits with regard to compromise (Annexures P-2) arrived at between the parties.

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

Vide order dated 08.03.2017, the parties were directed to appear before the Illaqa Magistrate/concerned Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Sub-

Divisional Judicial Magistrate, Jaitu through the District and Sessions Judge,

Faridkot wherein it has been reported that statements of the parties recorded, it appears that the compromise between the parties is voluntarily, without any coercion or undue influence and is genuine.

Counsel for the State and respondent No. 2 have not disputed that the parties i.e. petitioner and 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.12 dated 23.01.2017 for offence punishable under Sections 379-B and 511 of the Indian Penal Code registered in Police Station Jaito, District Faridkot and proceedings emanating therefrom stand quashed qua the petitioner.

JANUARY 29, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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