

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

CRM-M-5417-2018 (O&M)

Date of decision: 16.4.2018

Gurpreet Kaur

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Bhupinder Kumar Gupta, Advocate, for
Mr. G.S.Madaan, Advocate,
for the petitioners.

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

Mr. H.S.Toor, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Code of Criminal Procedure (in short, "Cr.P.C."), the petitioner has prayed for quashing of FIR No. 0071 dated 22.6.2016 for offence punishable under Sections 177, 494 of the Indian Penal Code (in short, "IPC") and 12 of Passports Act, 1967 registered at Police Station Dehlon, District Ludhiana and proceedings emanating therefrom on the basis of the compromise (Annexures P-2) arrived at between the parties.

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

Vide order dated 9.2.2018, 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, 1st Class, Ludhiana wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter without any coercion or undue influence.

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.

Counsel for respondent No.2 has submitted that one case under Section 13-B of Hindu Marriage Act is pending before Additional District Judge, Ludhiana. However, Smt. Gurpreet Kaur has submitted a written undertaking thereby undertook to appear in that case on 3.7.2018.

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. 0071 dated 22.6.2016 under Sections 177, 494 IPC and 12 of Passports Act registered at Police Station Dehlon, District Ludhiana and proceedings emanating therefrom stand quashed qua the petitioner.

(RAJ SHEKHAR ATTRI)
JUDGE

April 16, 2018
Paritosh Kumar

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No