

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

I. CRM-M- 9453-2017 (O&M)

Date of decision: 15.2.2018

Jagjiwan Lal and others

...Petitioners

VERSUS

State of Punjab and others

...Respondents

II.

CRM-M-8669-2017

Anil Kumar Garg

... Petitioner

Versus

State of Punjab and others

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Rajbir Singh, Advocate ,
for the petitioner in CRM-M-9453-2017.

Mr. Vivek Aggarwal, Advocate,
for the petitioners in CRM-M-8669-2017.

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

Mr. Karan Kumar, Advocate, for
Mr. Anil Shukla, Advocate,
for respondent No.2 .

RAJ SHEKHAR ATTRI, J.(Oral)

This order shall dispose of the aforesaid two petitions as the
dispute arises out of the same FIR.

By invoking Section 482 Code of Criminal Procedure (in short, “Cr.P.C.”), the petitioner has prayed for quashing of FIR No. 27 dated 8.3.2012 for offence punishable under Sections 420, 465, 467, 468, 471, 120-B of the Indian Penal Code (in short, “IPC”) registered at Police Station Kurali, District SAS Nagar, Mohali and proceedings emanating therefrom on the basis of compromise (Annexures P-3) arrived at between the parties.

In the present case, the FIR was registered on the statement of Hukam Singh son of late Dalip Singh. Now, dispute between the parties has been resolved by way of compromise Annexures P-3.

Vide order dated 21.3.2017, 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 Additional Chief Judicial Magistrate, Rupnagar 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.

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.27 dated 8.3.2012 under Sections 420, 465, 467, 468, 471, 120-B IPC registered at Police Station Kurali, District SAS Nagar (Mohali) and proceedings emanating therefrom stand quashed qua the petitioners in both the cases.

(RAJ SHEKHAR ATTRI)
JUDGE

February 15, 2018
Paritosh Kumar

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