

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

CRM-M No.714 of 2018 (O&M)

Date of decision: 18.05.2018

Balwinder Singh

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. D.R. Punia, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Gurinder Singh Dhillon, Advocate
for respondents No.2 and 3.

RAJ SHEKHAR ATTRI, J.(Oral)

Pursuant to order dated 16.04.2018, passed by this court, the learned counsel for the petitioner has filed amended petition in the court today. The same is taken on record.

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.179 dated 06.08.2013 for offence punishable under Sections 324, 323, 34 of the Indian Penal Code (for short 'IPC'), registered at Police Station City Kapurthala as well as criminal complaint No.000022/2014 titled as *Jaswinder Kaur Vs. Balkar Singh and others* and subsequent proceedings arising therefrom on the basis of compromise dated 01.11.2017 (Anneuxre P-1).

In the present case, the FIR was registered on the statement of Balwinder Singh-petitioner whereas Jaswinder Kaur wife of Sukhchain Singh filed complaint against Balwinder Singh and respondents No.4 to 7. Now, dispute between the parties has been resolved.

Vide orders dated 15.03.2018 and 16.04.2018, the parties were directed to appear before the trial court to get their statements recorded with regard

Pursuant thereto, a report has been submitted by the Chief Judicial Magistrate, Kapurthala wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is genuine and without any threat, coercion or pressure.

Counsel for the State as well as respondents No.2 and 3 have not disputed that the parties i.e. petitioner, respondent No.2 (complainant) and respondent No.3 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.179 dated 06.08.2013 for offence punishable under Sections 324, 323, 34 IPC, registered at Police Station City Kapurthala as well as criminal complaint No.000022/2014 titled as *Jaswinder Kaur Vs. Balkar Singh and others* and subsequent proceedings arising therefrom stand quashed qua the parties.

May 18, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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