

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

CRM-M-7431 of 2018
Date of Decision: 10.10.2018

Navinder Singh & anr.

....Petitioners

Versus

State of Punjab & ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: - Mr. Vikas Gupta, Advocate,
for the petitioners.

Mr. M.S. Nagra, AAG, Punjab.

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

RAJ SHEKHAR ATTRI, J. (ORAL)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No. 149 dated 27.06.2014 for offences punishable under Sections 326/324/323/34 of the Indian Penal Code registered at Police Station Bhikhiwind, District Tarn Taran and proceedings emanating therefrom on the basis of compromise (Annexure P-2) arrived at between the parties.

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

Vide orders dated 22.02.2018 and 21.03.2018, 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, Patti, wherein it has been reported that statements of

the parties have been recorded and they have voluntarily compromised the

matter, though accused-respondent No.3-Harpreet singh has been declared as proclaimed offender.

Learned counsel for the petitioners submits that respondent No.3 is out of county and his whereabouts are not known even to his parents. Statements of remaining parties have been recorded.

Learned counsel for the State and respondent No. 2 have not disputed that the parties i.e. petitioners 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. 149 dated 27.06.2014 for offences punishable under Sections 326/324/323/34 of the Indian Penal Code registered at Police Station Bhikhiwind, District Tarn Taran and proceedings emanating therefrom stand quashed qua the petitioners.

10.10.2018
monika

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No