

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

CRM-M No.7443 of 2018 (O&M)

Date of decision: 03.05.2018

Gurvinder Singh

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. Ruchi Sekhri, Advocate
for the petitioner.

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

None for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.19 dated 15.02.2016 for offence punishable under Sections 380, 448, 506, 34 of the Indian Penal Code (for short 'IPC'), registered at Police Station Dugri, Ludhiana (Anneuxre P-2) and subsequent proceedings arising therefrom on the basis of compromise and affidavit dated 29.01.2018 (Annexures P-3 and P-4).

In the present case, the FIR was registered on the statement of Dr. Deepak Jain son of Satish Kumar Jain. Now, dispute between the parties has been resolved.

Vide order dated 22.02.2018, 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 Ist Class, Ludhiana wherein it has been reported that statements

of the parties have been recorded and compromise entered between the parties is genuine and without any pressure or fear.

Counsel for the State has not disputed that the parties i.e. petitioner, 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.19 dated 15.02.2016 for offence punishable under Sections 380, 448, 506, 34 IPC, registered at Police Station Dugri, Ludhiana (Anneuxre P-2) and proceedings emanating therefrom stand quashed qua the petitioner.

May 03, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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