

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

CRM-M No.7933 of 2018 (O&M)

Date of decision: 13.07.2018

Raj Pal and another

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Jasbir Singh Ahlawat, Advocate
for the petitioners.

Mr. Abhay Pal Singh Gill, AAG, Punjab.

Mr. Nishant Ahlawat, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.0079 dated 06.05.2016 for offence punishable under Sections 120-B, 420, 467, 468 and 471 of the Indian Penal Code (for short 'IPC'), registered at Police Station Bilaspur, District Yamuna Nagar and subsequent proceedings arising therefrom on the basis of compromise dated 26.12.2016 (Anneuxre P-2).

In the present case, the FIR was registered on the statement of Manju Rani wife of Virender. Now, dispute between the parties has been resolved.

Vide order dated 23.02.2018, the parties were directed to appear before the Illaqa Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Sub Divisional Judicial Magistrate, Bilaspur (Yamuna Nagar) wherein it has been reported that statements of the parties have been recorded and compromise

entered between the parties is genuine one and without any pressure.

Learned counsel for the State as well as counsel for respondent No.2 have not disputed that the parties i.e. petitioners, 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.0079 dated 06.05.2016 for offence punishable under Sections 120-B, 420, 467, 468 and 471 IPC, registered at Police Station Bilaspur, District Yamuna Nagar and proceedings emanating therefrom stand quashed qua the petitioners.

July 13, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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