

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

Criminal Misc.No.M-8669 of 2018 (O&M)

Date of Decision : 27.11.2018

Gurpreet Singh alias Gaurav Kumar alias Anu and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Veneet Sharma Advocate
for the petitioners.

Mr. C.L.Pawar, Senior DAG, Punjab.

Mr. Sandeep Sharma, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J. (Oral)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of cross case bearing DDR No.36 dated 12.03.2017, registered under Sections 323, 324, 148, 149, IPC, at Police Station Chheharata, Amritsar, in case FIR No.55 dated 09.03.2017, registered under Sections 323, 160, 336, 148, 149 IPC and Sections 25 and 27 of the Arms Act, at Police Station Chheharata, Amritsar City, District Amritsar and proceedings emanating therefrom on the basis of compromise (Annexure P-3) arrived at between the parties.

In the present case, the cross case/DDR was registered on the statement of Ishpal Singh alias Pintu son of Swaran Singh-respondent No.2. Now, dispute between the parties has been resolved by way of

compromise Annexures P-3.

Vide orders dated 02.04.2018 and 17.07.2018, 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, Amritsar wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State and respondent No. 2 have not disputed that the parties i.e. petitioner and respondent(s) have arrived at a settlement with an intent to give burial to their differences.

It has also been submitted that the said the proceedings in the aforesaid FIR has already been quashed vide order dated 08.02.2018 passed in CRM M-44983 of 2017

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, cross case bearing DDR No.36 dated 12.03.2017, registered under Sections 323, 324, 148, 149, IPC, at Police Station Chheharata, Amritsar, in case FIR

No.55 dated 09.03.2017, registered under Sections 323, 160, 336, 148, 149 IPC and Sections 25 and 27 of the Arms Act, at Police Station Chheharata, Amritsar City, District Amritsar and proceedings emanating therefrom stand quashed qua the petitioners.

27.11.2018
mamta

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No