

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

270

CRM-M-611-2019
Date of Decision:14.03.2019

Harun and otherspetitioners

Versus

State of Punjab and othersrespondents

CRM-M-1761-2019

Hari Kishore and otherspetitioners

Versus

State of Punjab and othersrespondents

CORAM: HON'BLE MR.JUSTICE RAJ SHEKHAR ATTRI

Present: Mr.Nitin Rampal, Advocate
for the petitioners in CRM-M-611-2019
for respondents No.2 to 4 in CRM-M-1761-2019

Mr.Prateek Pandit, Advocate
for the petitioners in CRM-M-1761-2019
for respondents No.2 to 5 in CRM-M-611-2019

Mr.Sukhbeer Singh, AAG Punjab

RAJ SHEKHAR ATTRI, J. (ORAL):

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.201 dated 10.10.2017 under Sections 354/452/323/34 of the Indian Penal Code, 1860 (for short 'IPC') registered at Police Station Division No.8, District Jalandhar as also the cross statement in the aforesaid FIR and subsequent proceedings arising therefrom on the basis of compromise/agreement dated 13.10.2018 (Annexure P-2).

In the present cases, the FIR was registered on the statement of Hari Kishore son of Rameshwar Singh. Now, dispute between the parties has been resolved.

Vide order dated 10.01.2019 passed in CRM-M-611-2019 and order dated 17.01.2019 passed in CRM-M-1761-2019, the parties were directed to appear before the learned trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, reports have been submitted by the learned Judicial Magistrate 1st Class, Jalandhar, wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is genuine, voluntary and out of their free will.

Learned State counsel as well as learned counsel for complainants have not disputed that the parties i.e. petitioners, complainants, 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 petitions are allowed and FIR No.201 dated 10.10.2017 under Sections 354/452/323/34 of the Indian Penal Code, 1860 (for short 'IPC') registered at Police Station Division No.8, District Jalandhar as also the cross statement in the aforesaid FIR and subsequent

proceedings arising therefrom on the basis of compromise stand quashed qua
the petitioners.

14.03.2019
neenu

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No.
Yes/No