

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

CRM-M-1275-2019 (O&M)
Date of decision: March 20, 2019

Ashok Kumar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Avi Dhankhar, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. Kewal Singh, Advocate
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 cross case bearing DDR No.29 dated 21.12.2017, under Sections 323, 341, 354, 506, 509 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Division No.5, District Ludhiana in case FIR No.298 dated 16.12.2017, under Sections 323, 341, 506 IPC registered at Police Station Division No.5, District Ludhiana and subsequent proceedings arising therefrom on the basis of compromise dated 15.12.2018 (Annexure P-3).

In the present case, the DDR was registered on the statement of Baljit Kaur wife of Mukesh Kumar Narula. Now, dispute between the parties has been resolved.

Vide order dated 15.01.2019, 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, a report has been submitted by the learned Additional Chief Judicial Magistrate, Ludhiana, wherein it has been reported

that statements of the parties have been recorded and compromise entered

between the parties is genuine, voluntarily and without any pressure or undue influence.

Learned State counsel as well as learned counsel for respondent No.2 have not disputed that the parties i.e. petitioner, respondent No.2, 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. Consequently, DDR No.29 dated 21.12.2017, under Sections 323, 341, 354, 506, 509 IPC, registered at Police Station Division No.5, District Ludhiana in case FIR No.298 dated 16.12.2017, under Sections 323, 341, 506 IPC registered at Police Station Division No.5, District Ludhiana and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioner.

March 20, 2019
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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