

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

CRM-M-1601-2019

Date of decision: February 20, 2019

Navjot Singh and another

...Petitioners

Versus

State of UT Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Manjinder Singh Saini, Advocate
for the petitioners.

Mr. Sumit Jain, APP, UT Chandigarh.

Mr. Saurabh Singla, Advocate for
Mr. Jaskamal Singh Grewal, Advocate
for respondents No.2 and 3.

RAJ SHEKHAR ATTRI, J.(ORAL)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.295 dated 05.10.2018, under Sections 323, 354, 506 of the Indian Penal Code (for short 'IPC'), registered at Police Station Sector 11(W), UT Chandigarh and subsequent proceedings arising therefrom on the basis of compromise dated 08.01.2019 (Annexure P-2).

In the present case, the FIR was registered on the statement of Preeti Gulyani daughter of Murlidhar. Now, dispute between the parties has been resolved.

Vide order dated 16.01.2019, the parties were directed to appear before the learned trial court/illqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Judicial Magistrate Ist Class, Chandigarh wherein it has been reported that statements of the parties have been recorded and compromise entered between

the parties is genuine, with their free will without any threat, coercion or undue influence from any corner.

Learned counsel for the UT Chandigarh as well as learned counsel for respondents No.2 and 3 have not disputed that the parties i.e. petitioners, respondent No.2 (complainant) and respondent No.3, 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 and FIR No.295 dated 05.10.2018, under Sections 323, 354, 506 IPC, registered at Police Station Sector 11(W), UT Chandigarh and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

February 20, 2019
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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