

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

CRM-M-3986-2019 (O&M)
Date of Decision : 17.07.2019

Sukirat Sharma

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Balraj Singh Sidhu, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Gurmeet Singh Saini, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J. (Oral)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.74 dated 09.11.2013, registered under Sections 498-A IPC, at Police Station Women, Bathinda, District Bathinda as well as the judgment of conviction and order of sentence dated 20.03.2018, passed by the learned Judicial Magistrate Ist Class, Bathinda, vide which the petitioner is ordered to undergo rigorous imprisonment for a period of 01 year and to pay a fine of Rs.2,500/- and in default of payment of fine to further undergo rigorous imprisonment for a period of 01 month, and proceedings emanating therefrom on the basis of compromise (Annexure P-3) arrived at between the parties.

In the present case, the FIR was registered on the statement of Ramandeep Kaur. Now, dispute between the parties has been resolved by way of compromise Annexure P-3.

Vide order dated 29.01.2019, 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, Bathinda 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 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.74 dated 09.11.2013, registered under Sections 498-A IPC, at Police Station Women, Bathinda, District Bathinda as well as the judgment of conviction and order of sentence dated 20.03.2018 and proceedings emanating therefrom stand quashed qua the petitioners.

17.07.2019
mamta

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No