

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

CRM-M-4933-2019
Date of decision: 08.04.2019

Rajinder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present:- Mr. Gurpal Singh Sandhu, Advocate
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Jagdeep Singh Brar, Advocate
for respondent Nos. 2 and 3.

RAJ SHEKHAR ATTRI, J. (Oral)

The petitioner has filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No. 203 dated 01.12.2018 (Annexure P-1) for offences punishable under Sections 354-A and 354-B of the Indian Penal Code (for short 'IPC'), registered at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib along with all consequential proceedings arising therefrom, on the basis of the compromise dated 25.01.2019 (Annexure P-2).

As per case of the prosecution, the present FIR was registered on the statement of respondent No. 2/complainant Veerpal Kaur wherein she stated that petitioner/accused has caught hold of her tightly and

misbehaved with her.

Learned counsel for the petitioner submits that the matter has since been settled vide compromise dated 25.01.2019, copy of which has been placed on file as Annexure P-2.

Learned counsel for respondent No. 2/complainant as well as respondent No. 3 endorsed the submission of learned counsel for the petitioners and has no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed the compromise (Annexure P-2), entered into between the parties.

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 26.02.2019 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any pressure or influence.

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 Supreme Court in '**Gian Singh vs. 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 reasons as discussed above, the instant petition is allowed and FIR No. 203 dated 01.12.2018 (Annexure P-1) for offences punishable under Sections 354-A and 354-B of the IPC, registered at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib along with all consequential proceedings arising therefrom, qua petitioner, is quashed.

08.04.2019
SHABHA

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No