

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

**CRM-M-6184-2019
Date of decision: 09.04.2019**

Yogesh Kansal

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present:- Mr. G. S. Sidhu, Advocate
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Ravinder Singh Gill, Advocate
for respondent No. 2.

RAJ SHEKHAR ATTRI, J. (Oral)

By invoking Section 482 of the Code of Criminal Procedure (in short 'Cr.P.C.'), the petitioner has prayed for quashing of FIR No. 117 dated 17.10.2018 (Annexure P-1) for offences punishable under Section 498-A IPC, registered at Police Station City-I Mansa, District Mansa along with all consequential proceedings emanating therefrom, on the basis of the compromise dated 13.12.2018 (Annexure P-2).

In the present case, the FIR was registered on the statement of respondent No. 2/complainant Rajni Bala wife of Yogesh Kansal. Now, the dispute between the parties has been resolved by way of compromise dated 13.12.2018 (Annexure P-2).

Vide order dated 08.02.2019, 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 Chief

Judicial Magistrate, Mansa, wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter without any coercion or undue influence.

Counsel for the State as well as counsel for respondent No. 2/complainant have not disputed that the parties i.e. petitioner and 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 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 foregoing reasons, the petition is allowed and FIR No. 117 dated 17.10.2018 (Annexure P-1) for offences punishable under Section 498-A IPC, registered at Police Station City-I Mansa, District Mansa and all the proceedings emanating therefrom stand quashed qua the petitioner.

09.04.2019

SHABHA

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No