

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

CRM-M-6299-2019
Date of decision: 09.04.2019

Gautam Jugraj Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present:- Mr. Tejinder Pal Singh Makkar, Advocate
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. V. P. S. Mithewal, Advocate
for respondent Nos. 2 and 3.

RAJ SHEKHAR ATTRI, J. (Oral)

By invoking Section 482 of the Code of Criminal Procedure (in short 'Cr.P.C.'), the petitioners have prayed for quashing of Criminal Complaint No. 130 dated 28.08.2014 (Annexure P-1), filed under Sections 406, 498-A, 506, 34 and 120-B of the IPC, pending before the Court of Judicial Magistrate First Class, Malout as well as summoning order dated 18.08.2015 along with all consequential proceedings emanating therefrom, on the basis of the compromise (Annexure P-3).

In the present case, the aforesaid criminal complaint was filed by respondent No. 2/complainant Nirmaljeet Kaur wife of Gautam Jugraj

Singh. Now, the dispute between the parties has been resolved by way of compromise (Annexure P-3).

Vide order dated 11.02.2019, 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 Judicial Magistrate First Class, Malout, 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 Nos. 2 and 3 have not disputed that the parties i.e. petitioners and respondent Nos. 2 and 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 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 Criminal Complaint No. 130 dated 28.08.2014 (Annexure P-1), filed under Sections 406, 498-A, 506, 34 and 120-B of the IPC, pending before the Court of

Judicial Magistrate First Class, Malout as well as summoning order dated 18.08.2015 and all the proceedings emanating therefrom stand quashed qua the petitioners.

09.04.2019
SHABHA

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No