

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

CRM-M-7106-2019 (O&M)

Date of decision: April 11, 2019

Ram Singh @ Rama Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Jaspreet Singh Cheema, Advocate
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Manik Makkar, Advocate for
Mr. Dhiraj Jindal, 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 complaint No.SC-16 dated 31.05.2018, under Sections 323, 452, 354, 506, 34 of the Indian Penal Code, 1860 (for short 'IPC') and Sections 3 & 4 of Scheduled Castes and Scheduled Tribes Act and subsequent proceedings arising therefrom on the basis of compromise dated 13.01.2019 (Annexure P-3).

In the present case, the complaint was executed on the statement of Sukhjit Kaur wife of Kulwant Singh @ Kala Singh. Now, dispute between the parties has been resolved.

Vide order dated 20.02.2019, 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 Additional District and Sessions Judge, Sangrur, wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is genuine.

Learned State counsel as well as learned counsel for respondents No.2 and 3 have not disputed that the parties i.e. petitioners, respondents No.2 and 3, have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the complaint 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. Consequently, complaint No.SC-16 dated 31.05.2018, under Sections 323, 452, 354, 506, 34 IPC and Sections 3 & 4 of Scheduled Castes and Scheduled Tribes Act and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

April 11, 2019
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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