

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

**CRM M-11760-2018 (O&M)
Date of Decision : 25.04.2019**

Atul Mahajan

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Nemo.

RAJ SHEKHAR ATTRI, J. (Oral)

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.67 dated 09.02.2018, registered under Sections 354-B, 323, 506, 34 IPC, at Police Station Civil Lines, Amritsar and proceedings emanating therefrom on the basis of compromise (Annexures P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Bhawika Dutta daughter of Sh. Sanjiv Dutta. Now, dispute between the parties has been resolved by way of compromise Annexure P-2.

Vide order dated 26.02.2019, the parties were directed to appear before the trial Court/Illaq Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Chief Judicial Magistrate, Amritsar wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

After going through the material available on record especially the aforesaid report of the learned court below, it is clear that the parties willfully 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.67 dated 09.02.2018, registered under Sections 354-B, 323, 506, 34 IPC, at Police Station Civil Lines, Amritsar and proceedings emanating therefrom stand quashed qua the petitioner.

25.04.2019
mamta

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No