

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM M-1523-2018 (O&M)
Date of Decision : 22.07.2019

Prabhjit Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Gobind Singh Randhawa, Advocate for
Mr. Gursimran Singh Bawa, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab

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

RAJ SHEKHAR ATTRI, J. (Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No. 165 dated 26.06.2013 for offences punishable under Sections 498-A, 406, 120-B of the Indian Penal Code registered in Police Station Chheharta, District Amritsar along with all consequential proceedings emanating therefrom on the basis of compromise/Statement dated 21.11.2017 (Annexures P-2 & P-3) arrived at between the parties.

In the present case, the FIR was registered on the statement of respondent No.2/complainant Paramjit Kaur wife of Prabhjit Singh (Petitioner No.1). Now, dispute between the parties has been resolved by way of compromise/Statements dated 21.11.2017 (Annexures P-2 & P-3).

Vide order dated 10.05.2019, 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 Judicial Magistrate, 1st Class, Amritsar 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 and respondent No. 2 have not disputed that the parties i.e. petitioner and respondent No.2 (complainant) 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. 165 dated 26.06.2013 under Sections 498-A, 406, 120-B IPC registered in Police Station Chheharta, District Amritsar and all the proceedings emanating therefrom stand quashed qua the petitioners.

(RAJ SHEKHAR ATTRI)
JUDGE

22.07.2019
mamta/hemlata

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No