

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.9911 of 2019
Date of Decision: 07.05.2019.

Gurmail Singh and others

..Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Ramandeep, Advocate for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. P.S. Punia, Advocate for respondent No.2.

RAJ SHEKHAR ATTRI, J.

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.04 dated 16.01.2014 under Sections 452, 354, 323, 324, 148, 149 and 506 of the Indian Penal Code, registered at Police Station Ghagga, District Patiala (Annexure P-1) and proceedings emanating therefrom, on the basis of compromise (Annexure P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Sukhwinder Kaur wife of Sh. Gurdev Singh. Now, dispute between the parties has been resolved by way of compromise Annexure P-2.

Vide order dated 05.03.2019, 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, Samana, wherein it has been reported that statements of the

parties have been recorded and they have voluntarily compromised the matter, without any coercion or pressure.

Counsel for the State and respondent No.2 have not disputed that the parties i.e. petitioners 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.04 dated 16.01.2014 under Sections 452, 354, 323, 324, 148, 149 and 506 IPC, registered at Police Station Ghagga, District Patiala (Annexure P-1) and proceedings emanating therefrom stand quashed qua the petitioners.

(RAJ SHEKHAR ATTRI)
JUDGE

May 07, 2019.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.