

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

CRM-M-10825-2019

Date of Decision:-15.05.2019.

Rinku Sharma and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI**

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Present: Mr. Parminder Singh Kanwar, Advocate for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Amit Arora, Advocate for respondent Nos.2 to 4.

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**RAJ SHEKHAR ATTRI, J.**

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of Criminal Complaint No.COMA/11/2017 dated 15.02.2017 under Sections 452, 427, 354, 354-B, 506, 148 and 149 IPC, and summoning order dated 11.09.2017 passed by learned Judicial Magistrate (Ist Class) Tarn Taran (Annexure P-3), vide which the petitioners have been ordered to be summoned to face trial for commission of offences under Sections 452, 427, 354, 354-D, 506, 148 and 149 IPC and proceedings emanating therefrom, on the basis of compromise (Annexure P-4) arrived at between the parties.

In the present case, the Criminal Complaint was registered on the statement of Sukhraj Kaur wife of Jaspal Singh. Now, dispute between the parties has been resolved by way of compromise Annexure P-4.

Vide order dated 08.03.2019, 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 1<sup>st</sup> Class, Tarn Taran 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, Criminal Complaint No.COMA/11/2017 dated 15.02.2017 under Sections 452, 427, 354, 354-B, 506, 148 and 149 IPC, and summoning order dated 11.09.2017 passed by learned Judicial Magistrate (Ist Class) Tarn Taran (Annexure P-3), vide which the petitioners have been ordered to be summoned to face trial for commission of offences under Sections 452, 427, 354, 354-D, 506, 148 and 149 IPC and proceedings emanating therefrom stand quashed qua the petitioners.

**(RAJ SHEKHAR ATTRI)**  
**JUDGE**

**May 15, 2019.**  
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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.