

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

1. CRM-M-24207-2018
Date of decision: January 30, 2019

Tanish Bangar ...Petitioner

Versus

State of Punjab and another ...Respondents

2. CRM-M-24210-2018

Sanjeev Mandar @ Rocky and others ...Petitioners

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. S.S. Sarwara, Advocate for
Mr. Mukesh Singla, Advocate
for the petitioner (in CRM-M-24207-2018)
for respondent No.2 (in CRM-M-24210-2018).

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Bhupeshwar Jaswal, Advocate
for respondent No.2 (in CRM-M-24207-2018)
for the petitioners (in CRM-M-24210-2018).

RAJ SHEKHAR ATTRI, J.(ORAL)

By this common order, this court intends to dispose of the above noted two petitions i.e. '*CRM-M No.24207 of 2018* titled as *Tanish Bangar Vs. State of Punjab and another*' and '*CRM-M No.24210 of 2018* titled as *Sanjeev Mandar @ Rocky and others Vs. State of Punjab and another*'.

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of DDR No.37 dated 27.02.2018, under Sections 323, 341, 324, 34 of the Indian Penal Code (for short 'IPC') as well as cross case FIR No.0037 dated 27.02.2018, under Sections 323, 354-A, 148, 149, 506 IPC registered at Police Station Bhogpur, District Jalandhar and

subsequent proceedings arising therefrom on the basis of compromise dated 22.03.2018 (Annexure P-3).

In the present case, the FIR and DDR were registered on the statements of Tanish Bangar and Balwinder Kumar respectively. Now, dispute between the parties has been resolved.

Vide order dated 31.05.2018, the parties were directed to appear before the learned trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Judicial Magistrate Ist Class, Jalandhar wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is valid, without any kind of pressure, threat or undue influence and out of their free will.

Learned counsel for the State as well as learned counsel for the parties have not disputed that both the parties have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the DDR and 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 and DDR No.37 dated 27.02.2018, under Sections 323, 341, 324, 34 as well as cross case FIR No.0037 dated 27.02.2018, under Sections 323, 354-A, 148, 149, 506 IPC registered at Police Station Bhogpur, District Jalandhar and subsequent

proceedings arising therefrom on the basis of compromise stands quashed qua
petitioners.

January 30, 2019
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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