

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 275

Criminal Miscellaneous No.M-12990 of 2019

Date of Decision: May 23, 2019

Amarjit Singh & others

..... PETITIONERS

VERSUS

State of Punjab & others

..... RESPONDENTS

. . .

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

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PRESENT: - Mr. Rajinderbir Singh Ahluwalia, Advocate, for the petitioners.

Mr. Sukhbeer Singh, Deputy Advocate General, Punjab.

Mr. Varinder Kaur Warraich, Advocate, for respondent Nos.2 to 5.

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Raj Shekhar Attri, J (Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.85 dated 08.05.2017 under Sections 323, 452, 354-A, 506, 427, 148, 149 IPC (Section 308 IPC added lateron) IPC, registered at Police Station, Division No.1, District Jalandhar and proceedings emanating therefrom, on the basis of compromise (Annexure P-2) arrived at between the parties.

In the present case, FIR was registered at the instance of respondent No.2 – Ruby Chadha. Now, dispute between the parties has been resolved by way of compromise Annexure P-2.

Vide order dated 20.03.2019, 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 Additional District & Sessions Judge, Jalandhar, 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 vs. State of Punjab & another, 2012(4) RCR (Criminal) 543** and in the light of facts and circumstances discussed hereinabove, 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.85 dated 08.05.2017 under Sections 323, 452, 354-A, 506, 427,

148, 149 IPC (Section 308 IPC added lateron) IPC, registered at Police Station, Division No.1, District Jalandhar and proceedings emanating therefrom stand quashed qua the petitioners.

May 23, 2019
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(Raj Shekhar Attri)
Judge

Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No