

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-16823-2019
Date of Decision:-22.05.2019.

Gurpreet Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Sachin Kaushik, Advocate for
Mr. P.S. Punia, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Aayush Gupta, Advocate and
Mr. Saransh Sabharwal, Advocate for respondent No.2.

RAJ SHEKHAR ATTRI, J.

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.0002 dated 08.01.2018 under Sections 406, 498-A of the Indian Penal Code, registered at Police Station Women, District Ludhiana and proceedings emanating therefrom, on the basis of compromise arrived at between the parties.

In the present case, the FIR was registered on the statement of Rajdeep Kaur wife of Sh. Gurpreet Singh and daughter of Sh. Sawinderpal Singh. Now, dispute between the parties has been resolved by way of compromise.

Vide order dated 11.04.2019, 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 First Class, Ludhiana 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. 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 the 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.0002 dated 08.01.2018 under Sections 406, 498-A of the Indian Penal Code, registered at Police Station Women, District Ludhiana and proceedings emanating therefrom stand quashed qua the petitioner subject to payment of balance amount and compliance of the terms and conditions of the compromise. In case, the terms and conditions of the compromise are not complied with, then either party has right to revive the present petition at later stage.

(RAJ SHEKHAR ATTRI)
JUDGE

May 22, 2019.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.