

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

**CRM-M-15565-2019
Date of decision : 29.05.2019**

Sucha Ram and others

..... Petitioners

versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr.Manish Kumar Singla, Advocate for the petitioners.

Mr.V.G.Jauhar, Sr. DAG, Punjab.

RAJ SHEKHAR ATTRI, J. (ORAL)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.12 dated 28.01.2013 for offence punishable under Sections 406,498-A of the Indian Penal Code registered at Police Station Passiana, District Patiala and proceedings emanating therefrom on the basis of affidavits with regard to compromise (Annexure P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Harmanjeet Kaur d/o Sh.Balwant Singh. Now, dispute between the parties has been resolved by way of compromise Annexure P-2.

Vide order dated 05.04.2019, 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 1st Class, Patiala wherein it has been reported that statements

of the parties (except accused Harminder Pal Singh and Gurpreet Ram who have been declared proclaimed offenders) have been recorded and they have voluntarily compromised the matter.

Counsel for the State has 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 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.12 dated 28.01.2013 for offence punishable under Sections 406, 498-A of the Indian Penal Code registered at Police Station Passiana, District Patiala and proceedings emanating therefrom stand quashed qua the petitioners. Consequently the order declaring accused-petitioners No. 3 and 4 namely Harminderpal Singh and Gurpreet Ram as proclaimed offenders is also set aside.

(RAJ SHEKHAR ATTRI)
JUDGE

29.05.2019
sunita

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No