

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

CRM-M-30980-2018 (O&M)

Date of decision: April 11, 2019

Manish Lingwal

...Petitioner

Versus

State of UT and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: None for the petitioner.

Mr. Parveen Chauhan, Advocate for
Mr. D.S. Wasu, APP, UT Chandigarh.

RAJ SHEKHAR ATTRI, J.(ORAL)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.0203 dated 29.06.2018, under Sections 323, 354(D)(1), 384, 511 of the Indian Penal Code, 1860 (for short 'IPC') and Section 67 of Information Technology Act, registered at Police Station Sector-19, Chandigarh and subsequent proceedings arising therefrom on the basis of compromise dated 16.07.2018 (Annexure P-2).

In the present case, the FIR was registered on the statement of Sonia Kaur Clark daughter of Vrajendra Singh. Now, dispute between the parties has been resolved.

Vide order dated 07.02.2019, 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, Chandigarh, wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is voluntarily, without any coercion or undue influence and are not the result of any pressure or coercion.

Learned counsel for UT Chandigarh has not disputed that the parties i.e. petitioner, 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. Consequently, FIR No.0203 dated 29.06.2018, under Sections 323, 354(D)(1), 384, 511 IPC and Section 67 of Information Technology Act, registered at Police Station Sector-19, Chandigarh and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioner.

April 11, 2019
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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