

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.100 of 2019 in/and
CRM-M-32672 of 2018

Date of Decision: 19-3-2019

Amit Sharma and others

...Petitioners

v.

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr.Rajesh Bhatheja, Advocate
for the petitioners.

Mr.Sukhbeer Singh, AAG, Punjab.

Mr.Satish Singla, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(ORAL)

CRM No.100 of 2019

The application is allowed. Order dated 22.11.2018 is recalled and the case is restored to its original number. Same is taken on Board today itself.

CRM-M No.32672 of 2018

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.312 dated 27.10.2015, under Sections 498A, 406, 34 of the Indian Penal Code (for short 'IPC'), registered at Police Station City Barnala, District Barnala and subsequent proceedings arising therefrom on the basis of compromise dated 1.6.2016 (Annexure P-2).

In the present case, the FIR was registered on the statement of Rajni Sharma @ Dudeja – respondent No.2. Now, dispute between the parties has been resolved before the Mediation and Conciliation Centre of this Court, carried out in CRM-M No.41300 of 2015. Respondent No.2 – Rajni Sharma @ Dudeja who is present in Court filed her affidavit in Court which is taken on

record. In her affidavit, while confirming the compromise/settlement, she states that she is living happily with her husband in her matrimonial home.

Learned counsel for the State as well as learned counsel for respondent No.2 have not disputed that the parties i.e. petitioners, 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 and FIR No.312 dated 27.10.2015, under Sections 498A, 406, 34 IPC, registered at Police Station City Barnala, District Barnala and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua the petitioners.

March 19, 2019

(RAJ SHEKHAR ATTRI)
JUDGE

RC

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No