

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

CRM-M-32975-2016

Date of decision: January 23, 2019

Hardip Singh Ghuman

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. B.S. Baath, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. Digvijay Nagpal, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(ORAL)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.112 dated 17.08.2007, under Sections 406, 498-A, 420, 495, 120-B, 201 of the Indian Penal Code (for short 'IPC') registered at Police Station Ghaga, District Patiala and subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

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

Vide order dated 22.05.2018, the parties were directed to appear before the learned trial court to get their statements recorded with regard to genuineness of compromise.

Learned counsel for the petitioner has placed on record certified copies of the statements of the parties and as per the report of learned Judicial Magistrate Ist Class, Samana compromise entered between the parties is voluntarily with their free consent, without any pressure or coercion.

Learned counsel for the State as well as learned counsel for respondent No.2 have 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 and FIR No.112 dated 17.08.2007, under Sections 406, 498-A, 420, 495, 120-B, 201 IPC registered at Police Station Ghaga, District Patiala and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioner.

January 23, 2019
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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