

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

**CRM-M-18150-2019 (O&M)
Date of Decision : 17.07.2019**

Sonu and others
Versus
..... Petitioners

State of Punjab and another
..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Vivek Salathia, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

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

RAJ SHEKHAR ATTRI, J. (Oral)

Mr. Vivek Singla, Advocate has appeared and filed power of attorney on behalf of respondent No.2. Same is taken on record.

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.0041 dated 18.03.2019, registered under Sections 323, 354-B, 379-B, 506, 34 IPC, at Police Station Chheharta, Police Commissionerate, Amritsar and proceedings emanating therefrom on the basis of compromise (Annexure P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Balwinder Kaur wife of Hargopal Singh. Now, dispute between the parties has been resolved by way of compromise Annexure P-2.

Vide order dated 24.04.2019, 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, Amritsar wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State and respondent No. 2 have not disputed that the parties i.e. petitioners 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.0041 dated 18.03.2019, registered under Sections 323, 354-B, 379-B, 506, 34 IPC, at Police Station Chheharta, Police Commissionerate, Amritsar and proceedings emanating therefrom stand quashed qua the petitioners.

17.07.2019
mamta

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No