

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

CRM-M-18864-2019

Date of decision: 25.7.2019

Amreek Singh and others

...Petitioner(s)

VERSUS

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Kuldip Singh, Advocate,
for the petitioner(s).

Mr. Sandeep Kumar, DAG, Punjab

Mr. Deshpreet Singh, Advocate, for
Mr. Hoshier Singh, Advocate,
for respondents No.2 and 3.

RAJ SHEKHAR ATTRI, J.

By invoking Section 482 Cr.P.C., the petitioner(s) has prayed for quashing of FIR No. 46 dated 10.4.2019 for offence punishable under Sections 354-A, 323, 148, 149 of the Indian Penal Code registered at Police Station Vairo Ke, District Fazilka and proceedings emanating therefrom on the basis of affidavits of compromise (Annexures P-2 and P-3) arrived at between the parties.

In the present case, the FIR was registered on the statement of Ms. Rupa Rani daughter of Lachhman Singh. Now, dispute between the parties has been resolved by way of affidavits of compromise Annexures P-2 and P-3.

Vide order dated 9.5.2019, 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, Jalalabad wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter without any pressure or coercion.

Counsel for the State and respondent No. 2 have 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. 46 dated 10.4.2019 for offence punishable under Sections 354-A, 323, 148, 149 of the Indian Penal Code registered at Police Station Vairo Ke, District Fazilka and proceedings emanating therefrom stand quashed qua the petitioner(s).

July 25, 2019

Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned :

yes/no

Whether reportable :

yes/no