

249

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

CRM-M-19140-2019

Date of decision: 12.07.2019

Hans Raj**...Petitioner****Versus****State of Punjab and another****...Respondents****CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI**

Present:- Ms. Surinder Kaur , Advocate
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

Mr. Naveen Upadhaya, Advocate for
Mr. Gautam Thapar, Advocate
for respondent No. 2.

RAJ SHEKHAR ATTRI, J. (Oral)

By invoking Section 482 of the Code of Criminal Procedure (in short 'Cr.P.C.'), the petitioner has prayed for quashing of FIR No. 142 dated 21.07.2016 for offences punishable under Sections 458, 354, 506 of the IPC, registered at Police Station Nakodar, District Jalandhar City along with all consequential proceedings emanating therefrom, on the basis of the compromise (Annexure P-2).

In the present case, the FIR was registered on the statement of respondent No. 2/complainant Sumandeep daughter of Sarup Lal. Now, the dispute between the parties has been resolved by way of compromise (Annexure P-2).

Vide order dated 29.04.2019, 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 Sub Divisional

Judicial Magistrate, Nakodar, wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter without any coercion or undue influence.

Counsel for the State as well as counsel for respondent No. 2 have not disputed that the parties i.e. petitioner and respondent No. 2 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 Supreme Court in '**Gian Singh vs. 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. 142 dated 21.07.2016 for offences punishable under Sections 458, 354, 506 of the IPC, registered at Police Station Nakodar, District Jalandhar City and all the proceedings emanating therefrom stand quashed qua the petitioner.

12th July, 2019

shabha

(RAJ SHEKHAR ATTRI)

JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No