

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

**CRM-M-20426-2019 (O&M)
Date of Order:27.08.2019**

Swaran Singh

..Petitioner

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vipul Sharma, Advocate
for the petitioner.

Mr. SPS Tinna, Addl. A.G., Punjab

Mr. G.S.Dhillon, Advocate, for respondent no.2.

ANIL KSHETARPAL, J(Oral)

The petitioners have approached this Court by way of instant petition under Section 482 of the Code of Criminal Procedure (for short 'Cr.P.C.') invoking its inherent jurisdiction for quashing of FIR No.134, dated 16.09.2013, registered under Sections 420/467/468/471/120-B IPC, at Police Station Sahnewal, Ludhiana and the consequential proceedings arising therefrom.

Notice of motion was issued.

In compliance of the order dated 06.05.2019 passed by this Court, the parties got their statements recorded before the learned trial court. Consequently, a report dated 22.05.2019 along with statements of the parties sent by the learned Judicial Magistrate first Class, Ludhiana has been received which is available on record of the case. Learned Magistrate has reported that the parties have compromised the matter voluntarily, without any pressure or any threat.

Learned counsel for the State has informed the Court that the investigating officer has not come to assist him.

After hearing learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at an out of Court settlement by way of compromise. The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

For the aforesaid view, this Court finds support from *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052* and *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*,

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.134, dated 16.09.2013, registered under Sections 420/467/468/471/120-B IPC, at Police Station Sahnewal, Ludhiana and the consequential proceedings arising therefrom are ordered to be quashed, however, qua the petitioners only.

Resultantly, with the above-said observations made, the instant petition stands allowed.

August 27, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No