

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-4257-2018 (O&M)
Date of Decision:-22.04.2019.

Rajan Sandhu and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Paramjit Batta, Advocate for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. R.S. Athwal, Advocate for respondent No.2.

RAJ SHEKHAR ATTRI, J. (Oral)

CRM-12399-2019

Prayer in the instant application is for placing on record affidavit of respondent No.2 – Harjinder Kaur as Annexure R-1.

For the reasons stated in the application, same is allowed subject to all just exceptions. Affidavit of respondent No.2-Harjinder Kaur is taken on record as Annexure R-1.

CRM-M-4257-2018

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.44 dated 10.08.2017 under Sections 406 and 498-A of the Indian Penal Code registered in Police Station City Banga, District SBS Nagar and proceedings emanating therefrom on the basis of compromise arrived at between the parties.

In the present case, the FIR was registered on the statement of

Harjinder Kaur daughter of Late Sh. Mohan Lal. Now, dispute between the parties has been resolved by way of compromise.

Respondent No.2 is present in person. She has admitted the factum of compromise and she also placed on record her affidavit with regard to compromise arrived at between the parties.

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.44 dated 10.08.2017 under Sections 406 and 498-A of the Indian Penal Code registered in Police Station City Banga, District SBS Nagar and proceedings emanating therefrom stand quashed qua the petitioners.

(RAJ SHEKHAR ATTRI)
JUDGE

April 22, 2019.

sandeep

Whether speaking/reasoned:-

Whether Reportable:-

Yes / No

Yes / No.