

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

**CRM-M-42855-2018**

**Date of decision: March 06, 2019**

**Gurbachan Singh and others**

**...Petitioners**

**Versus**

**State of Punjab and another**

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI**

Present: Mr. N.S. Sidhu, Advocate  
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Swarn Tiwana, Advocate  
for respondent No.2.

**RAJ SHEKHAR ATTRI, J.(ORAL)**

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.117 dated 20.08.2016, under Sections 498-A, 506, 324, 323, 148, 149 of the Indian Penal Code, 1860 (for short 'IPC') registered at Police Station City Gurdaspur, District Gurdaspur and subsequent proceedings arising therefrom on the basis of compromise/agreement dated 28.08.2018 (Annexure P-2).

In the present case, the FIR was registered on the statement of Parwinder Kaur wife of Jagpreet Singh. Now, dispute between the parties has been resolved.

Vide orders dated 30.10.2018 and 19.12.2018, the parties were directed to appear before the learned trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Chief Judicial Magistrate, Gurdaspur wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is genuine, voluntary and out of their free will.

Learned State counsel as well as learned counsel for respondent No.2 have not disputed that the parties i.e. petitioners, 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 and FIR No.117 dated 20.08.2016, under Sections 498-A, 506, 324, 323, 148, 149 IPC registered at Police Station City Gurdaspur, District Gurdaspur and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

**March 06, 2019**  
*m. sharma*

**(RAJ SHEKHAR ATTRI)**  
**JUDGE**

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | yes/no |
| Whether reportable        | : | yes/no |