

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

CRM-M-43388-2018 (O&M)

Date of decision: 14.01.2019

Sharanjit Singh @ Shanty and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. Satwant Mehta, Advocate
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Jasmandeep, 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.0013 dated 26.01.2018, under Sections 354, 351-A, 457, 34 of the Indian Penal Code (for short 'IPC') registered at Police Station PAU Ludhiana, District Police Commissionerate, Ludhiana and subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

In the present case, the FIR was registered on the statement of Savita Gupta daughter of Varinder Gupta. Now, dispute between the parties has been resolved.

Vide orders dated 01.10.2018 and 20.11.2018, 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 Judicial Magistrate Ist Class, Ludhiana wherein it has been reported that statements of the parties have been recorded and compromise entered between

the parties is genuine, voluntary and without any coercion or undue influence.

Learned counsel for the State 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.0013 dated 26.01.2018, under Sections 354, 351-A, 457, 34 IPC registered at Police Station PAU Ludhiana, District Police Commissionerate, Ludhiana and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

January 14, 2019
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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