

265

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

CRM-M-20405-2019

Date of decision: 24.07.2019

Rajat and another**...Petitioners****Versus****The State of Punjab and others****...Respondents****CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI**

Present:- Mr. Naveen Sharma, Advocate
for the petitioners.

Mr. Sanjeev Kumar, DAG, Punjab.

Mr. Munish Gulati, Advocate
for respondents No. 2 to 4.

RAJ SHEKHAR ATTRI, J. (Oral)

By invoking Section 482 of the Code of Criminal Procedure (in short 'Cr.P.C.'), the petitioners have prayed for quashing of FIR No. 66 dated 26.05.2018 for offences punishable under Sections 323/341/506/354/148/149 of the Indian Penal Code, registered at Police Station Haibowal, District Ludhiana 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 Amoli @ Neelam wife of Raj Kumar. Now, the dispute between the parties has been resolved by way of compromise (Annexure P-2).

Vide order dated 06.05.2019, 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 Judicial Magistrate, First Class, Ludhiana, 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 learned counsel for respondents No. 2 to 5 have not disputed that the parties i.e. Petitioners and respondents No. 2 to 5 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. 66 dated 26.05.2018 for offences punishable under Sections 323/341/506/354/148/149 of the Indian Penal Code, registered at Police Station Haibowal, District Ludhiana and all the proceedings emanating therefrom stand quashed qua the petitioners.

24th July, 2019

shabha

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*