

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

259

CRM-M-21787-2019 (O&M)

Date of decision: 06.09.2019

Kunwar Jasmeet Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. J.S. Thakur, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

None for respondent No.2.

ANIL KSHETARPAL, J. (ORAL)

The petitioner has 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.55 dated 04.03.2018 registered under Sections 341, 332, 186, 353, 148, 149 of the Indian Penal Code (for short 'IPC'), at Police Station Kartarpur, District Jalandhar and the consequential proceedings arising therefrom, on the basis of compromise.

With the sincere efforts of learned counsel for the parties, the parties had decided to resolve their disputes. The parties are present in Court. Affidavit of the first informant (complainant) was filed in this regard which is taken on record. Respondent No.2 is present in Court and he also admits the settlement between the parties. To establish the identity of first informant, photocopy of his Aadhar Card has been submitted.

After hearing learned counsel for the parties and after 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, approved by Hon'ble Apex Court in 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.55 dated 04.03.2018 registered under Sections 341, 332, 186, 353, 148, 149, IPC, Police Station Kartarpur, District Jalandhar and the subsequent proceedings arising therefrom are ordered to be quashed, however, qua the petitioner only.

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

06.09.2019

D.Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No