

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

**CRM-M-48506-2018**

**Date of decision: February 21, 2019**

**Lakhvir Singh and others**

**...Petitioners**

**Versus**

**State of Punjab and another**

**...Respondents**

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

Present: Mr. J.K. Kharwal, Advocate  
for the petitioners.

Mr. V.G. Jauhar, Senior DAG, Punjab.

Mr. Vinod Kumar, 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.0063 dated 20.09.2018, under Sections 323, 354, 452, 148, 149 of the Indian Penal Code (for short 'IPC'), registered at Police Station Dhilwan, District Kapurthala 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 Kawaljeet Kaur wife of Gurdial Singh. Now, dispute between the parties has been resolved.

Vide order dated 20.12.2018, 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 Judicial Magistrate Ist Class, Kapurthala wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is voluntarily without any undue influence, coercion and threat.

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.0063 dated 20.09.2018, under Sections 323, 354, 452, 148, 149 IPC, registered at Police Station Dhilwan, District Kapurthala and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

**February 21, 2019**  
*m. sharma*

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

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