

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

**CRM M-23313-2019 (O&M)
Date of Decision : 21.05.2019**

Yudheshwar Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Babbar Bhan, Advocate
for the petitioner.

RAJ SHEKHAR ATTRI, J. (Oral)

By invoking Section 482 Cr.P.C., petitioner Yudheshwar Singh has prayed for quashing of FIR No.433 dated 19.12.2017, registered under Sections 323, 406, 498-A IPC, at Police Station Zirakpur, District Mohali and proceedings emanating therefrom on the basis of compromise (Annexures P-2) arrived at between the parties.

Notice of motion.

Mr. Harpreet Singh Multani, AAG, Punjab, who is present in court has accepted notice on behalf of respondent Nos.1-State. Mr. Naveen S.Bhardwaj, Advocate has appeared and filed power of attorney on behalf of respondent No.2. Same is taken on record.

Service is complete.

In the present case, the FIR was registered on the statement of Smt. Inderpreet Kaur, wife of the petitioner. Now, dispute between the parties has been resolved by way of compromise Annexures P-2, before the Mediation & Conciliation Centre of this Court.

The affidavit (Annexure P-3) of respondent No.2 Smt. Inderpreet Kaur regarding compromise has also been placed on record.

Counsel for the State has not disputed that the parties i.e. petitioner and 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. The FIR No.433 dated 19.12.2017, registered under Sections 323, 406, 498-A IPC, at Police Station Zirakpur, District Mohali and proceedings emanating therefrom stand quashed qua the petitioner.

21.05.2019

mamta

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No