

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

I.

CRM-M-50221-2018

Date of decision: 9.1.2019

Navdeep Singh and others

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondent(s)

II.

CRM-M-50191-2018

Piara Singh and others

... Petitioner(s)

VERSUS

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Gaurav Mannan, Advocate,
for the petitioners in CRM-M-50221-2018 and
for respondent No.2 in CRM-M-50191-2018.

Mr. Ramdeep Pratap Singh, DAG, Punjab

Mr. B.B.S.Randhawa, Advocate,
for the petitioners in CRM-M-50191-2018 and
for respondent No.2 in CRM-M-50221-2018.

RAJ SHEKHAR ATTRI, J.

This order shall dispose of the aforesaid two quashing petitions
as both are arising out of the same FIR.

By invoking Section 482 Cr.P.C., the petitioner(s) have prayed
for quashing of FIR No. 50 dated 30.6.2017 for offence punishable under

Sections 452, 354, 379, 336, 148, 149 of the Indian Penal Code and

Sections 25 & 27 of Arms Act, 1959 and General Diary No.18 dated 2.7.2017 under Sections 323, 452, 506, 427, 148, 149 IPC to the aforesaid FIR registered at Police Station Jhander, Amritsar Rural, District Amritsar and proceedings emanating therefrom on the basis of compromise (Annexures P-2) arrived at between the parties.

It has been submitted that no fire arm was used in the case.

In the present case, the FIR was registered on the statement of Jagpreet Singh @ Jagga son of Piara Singh. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide orders dated 16.11.2018, 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 the Judicial Magistrate, 1st Class, Ajnala wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter without any pressure or coercion.

Counsel for the State and respondent No. 2 have 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, FIR No. 50 dated 30.6.2017 for offence punishable under Sections 452, 354, 379, 336, 148, 149 of the Indian Penal Code and Sections 25 & 27 of Arms Act and General Diary No.18 dated 2.7.2017 under Sections 323, 452, 506, 427, 148, 149 IPC to the aforesaid FIR registered at Police Station Jhander, Amritsar Rural, District Amritsar and proceedings emanating therefrom stand quashed qua the petitioners.

January 9, 2019

Paritosh Kumar

(RAJ SHEKHAR ATTRI)

JUDGE

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