

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

**CRM M-50679-2018 (O&M)
Date of Decision : 10.01.2019**

Babar Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Rahul Sharma, Advocate
for the petitioners.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. Anterpreet Singh, Advocate for respondent No.2.

RAJ SHEKHAR ATTRI, J. (Oral)

It has been brought to the notice of this Court that in the statement of the petitioners, recorded before the court below, father's name of petitioner No.5 Shingara Singh has been mentioned as Bhagwant Singh wherein in the memo of parties his father's name has been mentioned as Kulwant Singh.

Learned counsel for the petitioners has submitted that actual name of the father of petitioner No.5 Shingara Singh is Bhagwant Singh but inadvertently in the memo of parties it has been mentioned as Kulwant Singh. To substantiate this plea, he has placed on record the copy of 'Adhar' card of petitioner No.5-Shingara Singh wherein his father's name has been mentioned as Bhagwant Singh. He prays that the father's name of petitioner No.5 be corrected in the memo of parties.

Heard. This is a typographical mistake. The request is accepted. The father's name of petitioner No.5 Shingara Singh be read as

Bhagwant Singh instead of Kulwant Singh in the memo of parties. Registry is directed to make necessary correction in the memo of parties.

By invoking Section 482 Cr.P.C., the petitioner has prayed for quashing of FIR No.94 dated 08.09.2013, registered under Sections 379, 336, 436, 447, 354, 323, 427, 148, 149 IPC, at Police Station City Amloh, District Fatehgarh Sahib and proceedings emanating therefrom on the basis of compromise (Annexure P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Mohammad Rafik son of Ghulam Ali. Now, dispute between the parties has been resolved by way of compromise Annexure P-2.

Vide order dated 17.11.2018, 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 Addl. Sessions Judge, Fatehgarh Sahib wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State and respondent No. 2 have not disputed that the parties i.e. petitioners 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.94 dated 08.09.2013, registered under Sections 379, 336, 436, 447, 354, 323, 427, 148, 149 IPC, at Police Station City Amloh, District Fatehgarh Sahib and proceedings emanating therefrom stand quashed qua the petitioners.

10.01.2019
mamta

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No