

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 279

Criminal Miscellaneous No.M-50689 of 2018 (O & M)
Date of Decision: April 10, 2019

Bagicha Singh

..... PETITIONER(S)

VERSUS

State of Punjab & another

..... RESPONDENT(S)

. . .

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

. . .

PRESENT: - Mr. Deepak Sharma, Advocate, for the petitioners.

Mr. Sukhbeer Singh, Assistant Advocate General,
Punjab.

Mr. Vishal Thakur, Advocate, for respondent No.2.

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Raj Shekhar Attri, J (Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.33 dated 15.04.2016 under Section 498-A IPC registered at Police Station, Chabbewal, District Hoshiarpur 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 respondent No.2. Now, dispute between the parties have been resolved by way of compromise, Annexure P-2.

Pursuant thereto, a report has been submitted by the Judicial Magistrate 1st Class, Hoshiarpur, wherein it has been reported that statements of 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 the complainant have arrived at a settlement with an intent to give burial to their differences.

Perusal of the allegations in the FIR reveals that 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 vs. 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.33 dated 15.04.2016 under Section 498-A IPC registered at Police Station, Chabbewal, District Hoshiarpur and proceedings emanating therefrom stand quashed qua the petitioner.

April 10, 2019
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(Raj Shekhar Attri)
Judge

Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No