

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

**CRM-M-25490-2019 (O&M)**

**Date of Decision:09.09.2019**

Rinki Chadha and another

...Petitioners

**Versus**

State of Punjab and another

...Respondent(s)

**CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL**

**Present:** Mr.Shivam Malhotra, Advocate for the petitioners.  
Mr.SPS Tinna, Addl. Advocate General, Punjab.  
Mr.Hardip Singh, Advocate for respondent No.2.

**ANIL KSHETARPAL, J.**

Petitioners have approached this Court by way of instant petition under Section 482 of the Code of Criminal Procedure (for short ('Cr.P.C.)) invoking its inherent jurisdiction for quashing of FIR No.130 dated 15.11.2018 registered under Section 406/420 of the Indian Penal Code at Police Station, Talwandi Chaudrian, District Kapurthala and the consequential proceedings arising therefrom on the basis of compromise.

Notice of motion was issued.

In compliance of the order dated 13.08.2019 passed by this Court, parties are present in Court except petitioner No.1, identified by their respective counsel. However, petitioner No.1 is one of the accused. She has herself filed this petition for quashing of FIR on the basis of compromise. She has also signatory to the settlement. It is submitted that parties have now settled their dispute. Petitioner No.2 and complainant have tendered their affidavits, admitting that the compromise arrived at between them is genuine, voluntary and without any coercion or undue influence.

After hearing the learned counsel for the parties and going through record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at an out of the Court settlement by way of compromise (Annexure P-2). The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

For the aforesaid view, this Court finds support from *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, upheld by Hon'ble Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.130 dated 15.11.2018 registered under Section 406/420 of the Indian Penal Code at Police Station, Talwandi Chaudrian, District Kapurthala and the consequential proceedings arising therefrom are ordered to be quashed, however, qua the petitioner(s) only.

Resultantly, with the above-said observations made, the instant petition stands allowed.

09.09.2019  
Dinesh/mks

(ANIL KSHETARPAL)  
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No