

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

CRM-M-29302-2019

Date of Decision:09.09.2019

Sharanjit Kaur and another

...Petitioners

Versus

State of Punjab and another

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Ravi Malhotra, Advocate for the petitioners.
Mr.SPS Tinna, Addl. Advocate General, Punjab.
Mr.Gautam Thapar, Advocate for the complainant.

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.66 dated 22.06.2019 registered under Sections 379B/341/506/148/149 IPC and Section 25/27 of the Arms Act at Police Station Division No.1, Police Commissionerate Jalandhar and the consequential proceedings arising therefrom on the basis of compromise.

Notice of motion was issued.

In compliance of orders dated 12.07.2019 and 17.08.2019 passed by this Court, parties are present in Court, which are identified by their respective counsel. Both the parties have stated that they have now settled their dispute. In this regard, they 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.66 dated 22.06.2019 registered under Sections 379B/341/506/148/149 IPC and Section 25/27 of the Arms Act 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