

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31610-2019 (O&M)
Date of Order:14.08.2019

Malkit Singh and others

..Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Petitioners in person.
Respondents no.2 and 3 in person.

ANIL KSHETARPAL, J(Oral)

The 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.119, dated 15.06.2012, registered under Sections 452/323/324/326/148/149 of the Indian Penal Code, Police Station Chherretta Amritsar City and the consequential proceedings arising therefrom on the basis of compromise.

Members of the bar have opted to abstain from appearing in Court.

All the petitioners as well as respondents no.2 and 3 are present in Court today. Respondents no.2 and 3, who are first informant and injured have produced their original Aadhar Cards to establish their identity. The original Aadhar Cards have been seen and returned. Photocopy of the Aadhar Cards has been taken on record. The first informant and the injured have also identified all the petitioners, who are accused. Both the parties i.e. petitioners no.1 to 8 and respondents no.2 & 3 are residents of the same place i.e. Baba Deep Singh Colony, Kapat Garh, Tehsil Chheharta,

Amritsar-II, Punjab.

After hearing both the parties and going through the 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 Court settlement by way of compromise. 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* and *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.119, dated 15.06.2012, registered under Sections 452/323/324/326/148/149 of the Indian Penal Code, Police Station Chherretta Amritsar City and the consequential proceedings arising therefrom are ordered to be quashed, however, qua the petitioners only.

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

August 14, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No