

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

CRM-M-31620-2019

Date of Decision:02.09.2019

Vicky

...Petitioner

Versus

State of Punjab and another

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Harmanpreet Sehgal, Advocate for the petitioner.
Mr.SPS Tinna, Addl. Advocate General, Punjab.
Mr.Tarun Jhatta, Advocate for respondent No.2.

ANIL KSHETARPAL, J.

Petitioner has approached this Court by way of instant petition under Section 482 of the Code of Criminal Procedure invoking its inherent jurisdiction for quashing of FIR No.184 dated 24.11.2018 registered under Section 324 IPC (Section 326 IPC added later on) at Police Station, Kabarwala, Tehsil Malout, District Sri Muktsar Sahib and the consequential proceedings arising therefrom.

Notice of motion was issued.

It is submitted that both the parties are residents of same village. With the intervention of respectables, parties have now settled their dispute. Parties are identified by their respective counsel. 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 affidavits. 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.184 dated 24.11.2018 registered under Section 324 IPC (Section 326 IPC added later on) at Police Station, Kabarwala, Tehsil Malout, District Sri Muktsar Sahib and the consequential proceedings arising therefrom, are ordered to be quashed, however, qua the petitioner only.

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

02.09.2019
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No