

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M-36398 of 2019

Date of Decision: September 19, 2019.

Sukhjeet Singh alias Mewa Singh and another

.....Petitioners

versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE ANIL KSHETARPAL.

Present: Mr.Impinder Singh Dhaliwal, Advocate, for the petitioners.

Mr.Bhupender Beniwal, AAG, Punjab for respondent No.1.

Mr.Navinderjit Singh Dandiwal, Advocate,for respondent No.2.

-.-

Anil Kshetarpal, J. (Oral)

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.222 dated 14.09.2017, registered under Sections 325, 323, 34 IPC, at Police Station Lambi, District Sri Muktsar Sahib, and all the consequential proceedings arising therefrom, on the basis of compromise.

Both the parties have filed their respective affidavits which are taken on record. Both the parties are present in the Court who have been identified by their respective counsel. Learned counsels appearing on behalf of both the parties admit that parties have settled their disputes.

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.222 dated 14.09.2017, registered under Sections 325, 323, 34 IPC, at Police Station Lambi, District Sri Muktsar Sahib, and all 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.

September 19, 2019

mohinder

(ANIL KSHETARPAL)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No