

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M-36646 of 2019
Date of Decision: September 25, 2019.

Ravinder Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE ANIL KSHETARPAL.

Present: Mr.Narinder S.Lucky, Advocate, for the petitioner.
Mr.S.P.S.Tinna, Additional AG, Punjab for respondent No.1.
Ms.Sukhwinder Kaur, Advocate for respondent Nos.2 & 3.

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Anil Kshetarpal, J. (Oral)

Petitioner has 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.137 dated 24.11.2016, registered under Sections 279, 337, 338, 427 IPC, at Police Station Barnala, District Barnala, and all the consequential proceedings arising therefrom, on the basis of compromise.

Notice of motion was issued on 02.09.2019 and counsel for the parties were requested to file affidavits before the next date of hearing regarding genuineness, voluntariness of the compromise and that it has been arrived at between the parties without any coercion or undue influence.

In compliance of the order dated 02.09.2019, affidavit of the petitioner has been filed which is taken on record. Both the parties are present in the Court who have been identified by the respective counsel. The Investigating Officer ASI Jaswinder Kumar, who is present in the Court certified that respondent Nos.2 & 3 are the same ladies who are the first informants. Both, respondent Nos.2 & 3 have given their separate joint

statement in which they have stated that they have entered into a settlement and they are agreeable to quash the FIR in question.

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.137 dated 24.11.2016, registered under Sections 279, 337, 338, 427 IPC, at Police Station Barnala, District Barnala, and all 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.

September 25, 2019
mohinder

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-36646 of 2019

Ravinder Singh

versus

State of Punjab and others

Joint statement of Manjit Kaur wife of Harinderjit Singh
and Paramjit Kaur wife of Buta Singh, both residents of
village Aklia, District Mansa, on S.A.

We have entered into a settlement and we do not have any objection
if FIR No.137 dated 24.11.2016, registered under Sections 279, 337, 338, 427 IPC
at Police Station Barnal, District Barnala, is quashed qua Ravinder Singh son of
Chamkaur Singh, Saran Patti, Ward No.11, Handiaya, District Barnala.

R.O.& A.C.

(Manjit Kaur)

(Paramjit Kaur)

(Narinder S.Lucky), Advocate,
for the petitioner-Ravinder Singh.

(Ms.Sukhwinder Kaur), Advocate,
for the respondents-Manjit Kaur & Paramjit Kaur.

September 25, 2019
mohinder

(ANIL KSHETARPAL)
JUDGE