

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

[1] Criminal Misc.-M-39663 of 2019
Date of Decision: September 23, 2019.

Raghvir Singh and othersPetitioners
versus
State of Punjab and othersRespondents

[2] Criminal Misc.-M-40705 of 2019
Veerpal Kaur and othersPetitioners
versus
State of Punjab and othersRespondents

CORAM: HON'BLE MR.JUSTICE ANIL KSHETARPAL.

Present: Mr.Mohit Sadana, Advocate, for the petitioners
(in CRM-M-39663 of 2019) and
for respondent Nos.4 to 6 (in CRM-M-40705 of 2019)

Mr.S.P.S.Tinna, Additional AG, Punjab.

Mr.Mittardeep Singh, Advocate, for the petitioners
(in CRM-40705 of 2019) and
for respondent Nos.4 to 6 (in CRM-M-39663 of 2019).

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Anil Kshetarpal, J. (Oral)

By this order, two petitions, i.e., CRM-M-39663 of 2019 and CRM-M-40705 of 2019 are being disposed of as both the petitions are cross-case arising out of same FIR No.54 dated 10.06.2014, registered under Sections 323, 341, 447, 34 IPC at Police Station Sadar, Sangrur, quashing of which is sought in both the petitions.

Notice of motion was issued on 18.09.2019 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 18.09.2019, 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 the 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. 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.54 dated 10.06.2014, registered under Sections 323, 341, 447, 34 IPC at Police Station Sadar, Sangrur and all the consequential proceedings arising therefore, are ordered to be quashed, qua the petitioners in both the cases.

Resultantly, with the above-said observations made, both the petitions stand allowed.

September 23, 2019

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(ANIL KSHETARPAL)
JUDGE