

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

CRM-M-39565-2019 (O&M)

Date of decision : 04.10.2019

Sahibjit Singh @ Harry

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sunil Kumar, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. Bawa Mandeep Singh, Advocate for respondent No.2.

ANIL KSHETARPAL, J. (ORAL)

Petitioners 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.194 dated 30.09.2018 registered under Sections 406, 420 IPC at Police Station Division No.7, Jalandhar, Punjab and the consequential proceedings arising therefrom, on the basis of statements of the parties.

Notice of motion was issued.

In compliance of the order dated 17.09.2019 passed by this Court, both the parties are present in the Court, duly identified by their respective counsels. Paramjit Singh-respondent No.2 has already suffered statement admitting the receiving of full and final payment from petitioner Annexure P-2 dated 06.02.2019.

Counsel appearing on behalf of respondent No.2, on instructions from his client, has admitted the settlement and has stated that

he has no objection if the FIR is quashed.

Learned counsel for the State has also no objection.

After hearing the learned counsel for the parties and after 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**, approved 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.194 dated 30.09.2018 registered under Sections 406, 420 IPC at Police Station Division No.7, Jalandhar, Punjab and the consequential proceedings arising therefrom, are ordered to be quashed, on the basis of statements of the parties, however, qua the petitioner only.

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

04.10.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**