

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

CRM-M-61831-2018

Date of decision: January 31, 2019

Bhupinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

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

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. R.S. Duggal, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(ORAL)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.65 dated 14.06.2015, under Sections 406, 498-A of the Indian Penal Code (for short 'IPC') registered at Police Station Phase-XI, SAS Nagar (Mohali) and subsequent proceedings arising therefrom on the basis of compromise dated 25.10.2018 (Annexure P-2).

In the present case, the FIR was registered on the statement of Harpreet Kaur Ex-wife of Bhupinder Singh. Now, dispute between the parties has been resolved.

Vide order dated 20.12.2018, the parties were directed to appear before the learned trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Chief Judicial Magistrate, SAS Nagar, Mohali wherein it has been reported that petitioner did not appear for recording of his statement. However, complainant

Harpreet Kaur appeared and categorically suffered a statement that compromise is genuine.

Learned counsel for the State on instructions from ASI Narinder Kumar as well as learned counsel for respondent No.2 have not disputed that the parties i.e. petitioner, respondent No.2 (complainant), have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the FIR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view authoritative enunciation of law laid down by Hon'ble the Supreme Court in **'Gian Singh v. State of Punjab and another', 2012 (4) R.C.R. (Criminal) 543** and in the light of facts and circumstances discussed hereinbefore, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that the same are put to an end.

For the foregoing reasons, the petition is allowed and FIR No.65 dated 14.06.2015, under Sections 406, 498-A IPC registered at Police Station Phase-XI, SAS Nagar (Mohali) and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioner.

January 31, 2019
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no