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

**CRM-M-28350-2018
Date of Decision : 12.03.2019**

Ekta and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Chirag Kundu, Advocate for
Mr. P. S. Kundu, Advocate
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

None for respondent No. 2.

RAJ SHEKHAR ATTRI, J. (Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No. 57 dated 05.07.2013, under Sections 363, 366-A and 120-B of the Indian Penal Code (for short 'IPC') registered at Police Station Jamalpur, District Ludhiana along with all the subsequent proceedings arising therefrom on the basis of compromise deed dated 23.05.2018 (Annexure P-2).

In the present case, the FIR was registered on the statement of Krishan Kumar, who is father of petitioner No. 1 Ekta. However, the dispute has now been settled amicably between the parties.

Vide orders dated 27.08.2018 and 23.01.2019, the parties were directed to appear before the learned trial court/Illaqua Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Judicial

Magistrate Ist Class, Ludhiana wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is voluntarily, out of their own free will and without any threat or coercion from any side. Petitioner No. 1 Ekta has stated before the trial Court that she has performed marriage with petitioner No. 2 Rakesh and is residing with him happily and has also been blessed with two childre out of the said wedlock.

Learned counsel for the State as well has not disputed that the parties i.e. petitioners, 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. 57 dated 05.07.2013, under Sections 363, 366-A and 120-B of the IPC registered at Police Station Jamalpur, District Ludhiana and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

(RAJ SHEKHAR ATTRI)
JUDGE

12th March, 2019
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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>