

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

CRM-M-54829-2018 (O&M)

Date of decision: March 27, 2019

Sujinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

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

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Kapil Khanna, 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.294 dated 28.10.2002, under Sections 406, 420 and 498-A of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Division No.4, Jalandhar and subsequent proceedings arising therefrom on the basis of compromise dated 20.01.2011 and 25.09.2018 (Annexures P-2 and P-3).

In the present case, the FIR was registered on the statement of Monika daughter of Davinder Kumar. Now, dispute between the parties has been resolved.

Vide order dated 23.01.2019, 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, Jalandhar, wherein it has been reported that statements of the parties i.e. petitioner Sujinder Singh and respondent No.2 Monika through her general power attorney Asha Bedi, have been recorded and compromise

entered between the parties is genuine, valid, voluntary and without any pressure or coercion.

Learned State counsel as well as learned counsel for respondent No.2 have not disputed that the parties i.e. petitioner, respondents No.2 and 3, 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. Consequently, FIR No.294 dated 28.10.2002, under Sections 406, 420 and 498-A IPC, registered at Police Station Division No.4, Jalandhar and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioner.

March 27, 2019
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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