

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M-55543 of 2018
Date of Decision: September 23, 2019.

Jagraj Singh and others

.....Petitioners

versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE ANIL KSHETARPAL.

Present: Mr.K.S.Dadwal, Advocate, for the petitioners.
Mr.Bhupender Beniwal, AAG, Punjab for respondent No.1.
Mr.Rahul Sharma, Advocate, for respondent No.2.

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Anil Kshetarpal, J. (Oral)

Initially, the present petition was filed for quashing FIR No.27 dated 29.01.2015, registered under Sections 420, 406, 120-B IPC, Police Station Samrala and all the consequential proceedings arising therefrom, on merits but on 10.09.2019, learned counsel for the petitioners undertook to bring respondent No.2-first informant, as according to him, the parties have settled the dispute.

In compliance of the order dated 10.09.2019, 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.27 dated 29.01.2015, registered under Sections 420, 406, 120-B IPC, Police Station Samrala and all the consequential proceedings arising therefrom, are ordered to be quashed, however, qua the petitioners only.

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

September 23, 2019
mohinder

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No