

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

**CRM-M-29331-2020(O&M)  
Date of decision: 29.10.2020**

**Gurpal Singh and others**

**.....Petitioners**

Versus

**State of Punjab and another**

**.....Respondents**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Mr.Nikhil Batta, Advocate for the petitioner

Mr. Luvinder Sofat, AAG, Punjab

Mr. Mandeep Kumar Saajan, Advocate for respondent no.2

**ANIL KSHETARPAL, J. (ORAL)**

The petitioners have 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.13, dated 18.2.2020, registered under Section 406, 498-A IPC at Police Station Badli Ala Singh, Fatehgarh Sahib, District Fatehgarh Sahib and all the consequential proceedings arising therefrom, on the basis of compromise.

Notice of motion was issued.

In compliance of the order dated 23.9.2020, passed by this Court, the parties got their statements recorded before the learned trial court. Consequently, a report dated 27.10.2020, along with copy of compromise, sent by the learned Judicial Magistrate First Class, Fatehgarh Sahib has been received which is available on record of the case along with the statements of the parties. Learned Judicial Magistrate First Class, Fatehgarh Sahib has reported that the parties have made their

statements voluntarily and without any pressure. The compromise arrived at between the parties has been found to be a genuine one and is not a result of any pressure or coercion.

Learned counsel for the petitioner as well as respondent no.2, have jointly stated that the parties have settled their dispute.

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 the 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 as noted above, coupled with the reasons afore-mentioned and to secure the ends of justice, FIR No.13, dated 18.2.2020, registered under Section 406, 498-A IPC at Police Station Badli Ala Singh, Fatehgarh Sahib, District Fatehgarh Sahib and the consequential proceedings arising therefrom are hereby quashed, however, qua the petitioners only.

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

29.10.2020  
rekha

(ANIL KSHETARPAL)  
JUDGE

Whether speaking/reasoned      Yes / No

Whether Reportable                Yes / No