

**271/1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-40663-2019
Date of Decision: 22.01.2020

Jagdeep Singh and others ... **Petitioners**

v/s

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Aman Dhir, Advocate for the petitioners.

Mr. Kulwinder Singh, Advocate for
Mr. Manoj Kumar Bansal, Advocate
for respondent Nos.2 to 8.

Mr. Rajesh Bhardwaj, Sr. DAG Punjab.

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VIVEK PURI, J. (ORAL)

Present petition under Section 482 Cr.P.C. is for quashing of FIR No.111 dated 24.07.2015 registered under Sections 324, 323, 148, 149 of IPC at Police Station Lambi, District Sri Muktsar Sahib and all the consequential proceedings arising therefrom, on the basis of compromise dated 31.08.2019 (Annexure P-4).

On 23.09.2019, notice of motion was issued and parties were directed to appear before the Trial Court and get their statements recorded with regard to the compromise arrived at between them.

The Trial Court was directed to record the statements of all the concerned and sent his report regarding genuineness and voluntary nature of the compromise.

In compliance of the order dated 23.09.2019, learned Sub

Divisional Judicial Magistrate, Malout has recorded the statements of the

parties and submitted his report, the relevant para whereof reads as under:-

“From the statements made by the parties, this Court is satisfied that aforesaid statements have been made by complainant Darshan Ram and accused voluntarily, without any threat or any undue influence. As per record, none of the accused have been declared proclaimed offender in the present case.”

After hearing learned counsel for the parties and 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 a settlement, out of the Court, by way of compromise (Annexure P-4). The compromise is without any pressure and is 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***.

Accordingly, the present petition is allowed and FIR No. 111 dated 24.07.2015 registered under Sections 324, 323, 148, 149 of IPC at Police Station Lambi, District Sri Muktsar Sahib and all the consequential proceedings arising therefrom are quashed qua petitioners only.

22.01.2020

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No