

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

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**CRM-M-31459-2021 (O &M)
Date of decision : 03.12.2021**

AMANDEEP SINGH ALIAS AMAN

.....Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. H.S.Deol, Advocate
for Mr. Bhupinder Banga, Advocate
for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab
for respondent No. 1-State.

Mr. Tushaar Madaan, Advocate
for respondent No. 2.

SANT PARKASH, J. (ORAL)

CRM-23848-2021

For the reasons mentioned in the application, the same is allowed and the petitioner is exempted from filing certified copies of Annexures P-1 and P-2, placing on record more legible copies of photocopies of vernaculars Annexures P-1 and P-2 and is also exempted from placing on record ID proof of complainant/respondent No. 2.

CRM-M-31459-2021

Petitioners have approached this Court by way of instant petition under Section 482 of the Code of Criminal Procedure invoking its inherent jurisdiction for quashing of FIR No.42 dated 23.04.2021

registered under Section 379-B of the Indian Penal Code, 1860 (for short 'the IPC') registered at Police Station Mahilpur, District Hoshiarpur to which Section 411 of the IPC was added later on as well as the consequential proceedings arising therefrom, on the basis of compromise dated 29.07.2021 (Annexure P-2).

While issuing notice of motion on 06.08.2021, the parties were directed to appear before the trial Court to record their statements with regard to genuineness of the compromise and send a report to this Court. The report dated 31.08.2021 of learned Additional District and Sessions Judge, Hoshiarpur has been received, wherein it is stated that in pursuance of the order of this Court, the statements of the parties were recorded which indicates that the compromise is genuine, without any coercion or undue influence.

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 (Annexure P-2). 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.

Consequently, keeping in view the fact that the dispute has been amicably settled between the parties and in view of the law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs.**

State of Punjab and another, (2014) 6 SCC 466, the present petition is allowed. Resultantly, FIR No.42 dated 23.04.2021 registered under Section 379-B of the IPC at Police Station Mahilpur, District Hoshiarpur to which Section 411 of the IPC was added later on, as well as the consequential proceedings arising therefrom are quashed qua the petitioner.

03.12.2021
kavneet singh

(SANT PARKASH)
JUDGE

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