IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

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CRM-M-22727-2021
Date of decision : 16.03.2022

JEET RAM AND OTHERS ....Petitioners

Versus

STATE OF PUNJAB AND OTHERS .....Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Peeush Gagneja, Advocate
for the petitioners.

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

Mr. Harpal Sidhu, Advocate
for respondents No. 2 and 3.

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SANT PARKASH, J. (ORAL)

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. 26 dated 28.02.2020 registered under Sections 452, 323, 148, 149 of the Indian Penal Code, 1860 (for short 'the IPC') registered at Police Station Bahawala, District Fazilka as well as the consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2) arrived at between the parties.

Reply filed on behalf of respondent No.1/State in the Registry is taken on record.

Vide order dated 05.07.2021, the parties were directed to appear before the trial Court to record their statements with regard to the compromise and send a report to this Court. The report dated

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16.08.2021 of learned Judicial Magistrate First Class, Abohar 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. 26 dated 28.02.2020 registered under Sections 452, 323, 148, 149 of the IPC registered at Police Station Bahawala, District Fazilka, as well as the consequential proceedings arising therefrom are quashed qua the petitioners.

(SANT PARKASH)
JUDGE

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

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