

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

218

CRM-M-19209-2019

Date of decision : 15.02.2022

GURDEV SINGH @ SHANTY

....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Atul Goyal, Advocate
for the petitioner.

Mr. Arun Kaundal, DAG, Punjab
for respondent No. 1/State.

Mr. Sahil Khunger, Advocate
for Ms. Jasmeen Kaur, Advocate
for respondent No. 2.

SANT PARKASH, J. (ORAL)

(The case has been taken up for hearing through video conferencing.)

Petitioner has 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. 224 dated 29.12.2017 registered under Section 379-B of the Indian Penal Code, 1860 (for short 'the IPC') registered at Police Station Sarabha Nagar, District Police Commissionerate Ludhiana to which Section 201 of the IPC was added later on, as well as the consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2) arrived at between the parties.

Vide order dated 21.12.2021, 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

02.02.2022 of learned Additional District Judge, Ludhiana 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. 224 dated 29.12.2017 registered under Section 379-B of the IPC registered at Police Station Sarabha Nagar, District Police Commissionerate Ludhiana to which Section 201 of the IPC was added later on, as well as the consequential proceedings arising therefrom are quashed qua the petitioner.

15.02.2022
kavneet singh

(SANT PARKASH)
JUDGE

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