

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

234

CRM-M-54373-2021

Date of decision : 15.02.2022

GURWINDER SINGH ALIAS TONA AND ORS.Petitioners

Versus

STATE OF PUNJAB AND OTHERSRespondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Prashant Vashisth, Advocate
for the petitioners.

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

Mr. Amit Sharma, Advocate
for respondents No. 2 and 3.

SANT PARKASH, J. (ORAL)

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

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. 258 dated 11.11.2021 registered under Sections 323, 324, 341, 506, 427, 148 and 149 of the Indian Penal Code, 1860 (for short 'the IPC') registered at Police Station Sarabha Nagar, Ludhiana City to which Section 325 of the IPC was added later on as well as the consequential proceedings arising therefrom, on the basis of compromise dated 04.12.2021 (Annexure P-2) arrived at between the parties.

Vide order dated 23.12.2021, 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 28.01.2022 of learned Chief Judicial Magistrate, Ludhiana has been received, wherein it is stated that in pursuance of the order of this Court, the statements of all 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. 258 dated 11.11.2021 registered under Sections 323, 324, 341, 506, 427, 148 and 149 of the IPC registered at Police Station Sarabha Nagar, Ludhiana City to which Section 325 of

the IPC was added later on, as well as the consequential proceedings arising therefrom are quashed qua the petitioners.

15.02.2022
kavneet singh

(SANT PARKASH)
JUDGE

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