
(2018) 10 P&H CK 0203

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous (M) No.34481 of 2018 (O&M)

Bakinder Singh @ Bablu and others

APPELLANT

Vs

State of Punjab and others

RESPONDENT

Date of Decision : 30-10-2018

Acts Referred:

Code of Criminal Procedure, 1973 — Section 482

Indian Penal Code, 1860 — Section 148, 149, 323, 324, 452, 506

Citation : (2018) 10 P&H CK 0203

Hon'ble Judges : Raj Shekhar Attri, J

Bench : Single Bench

Advocate : Gopal Singh Nahel, Navneet Kaur, V.G.Jauhar

Final Decision : Allowed

Judgement

By invoking Section 482 Code of Criminal Procedure (in short,

Cr.P.C.), the petitioners have prayed for quashing of FIR No. 94 dated 16.6.2018 for offence punishable under Sections 452, 324, 323, 148, 149,

506 of the Indian Penal Code (in short, IPC) registered at Police Station Lehra, District Sangrur and proceedings emanating therefrom and on

the basis of compromise (Annexures P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Amarjit Singh son of Gurcharan Singh. Now, dispute between the parties has been

resolved by way of compromise Annexures P-2.

Vide order dated 13.8.2018, the parties were directed to appear before the trial Court to get their statements recorded with regard to genuineness of

compromise.

Pursuant thereto, a report has been submitted by Judicial Magistrate, 1st Class,

Sunam wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter without any coercion or undue influence.

Counsel for the State and respondents No. 2 to 5 have not disputed that the parties i.e. petitioner and respondents No.2 to 5 have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the FIR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in

exercise of its inherent power under Section 482 Cr.P.C. Keeping in view authoritative enunciation of law laid down by Hon'ble the Supreme Court in

'Gian Singh v. State of Punjab and another', 2012 (4) R.C.R. (Criminal) 543 and in the light of facts and circumstances discussed hereinbefore, this

Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest

of justice that the same are put to an end.

For the foregoing reasons, the petition is allowed, FIR No. 94 dated 16.6.2018 under Sections 452, 324, 323, 148, 149, 506 IPC registered at Police

Station Lehra, District Sangrur and proceedings emanating therefrom stand quashed qua the petitioners.