

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-1018 of 2015.
Date of Decision : 03.03.2015.

Niting Kataria @ Nitin and others ...Petitioners

Versus

State of Haryana and another ...Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Johan Kumar, Advocate for the petitioners.

Mr. Arun Kumar, Assistant Advocate General, Haryana.

Tejinder Singh Dhindsa, J.(Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 180 dated 16.12.2011, under Sections 406, 498-A, 323, 506, 34 IPC, registered at Police Station Lakhan Majra, District Rohtak, on the basis of compromise which as per counsel had been entered into between the parties.

On 13.01.2015, while issuing notice of motion, parties had been directed to appear before the Trial Court for recording of their statements and a report as regards veracity of the compromise had been called for.

In pursuance to the order dated 13.01.2015, a report dated 12.02.2015 of the Additional Civil Judge (Sr. Divn.)-cum-Sub Divisional Judicial Magistrate, Meham has been placed on record.

Perusal of the report would reveal that the parties had appeared before the Trial Court and their statements were duly recorded and it has been opined that compromise has been

entered into between the parties with their free consent.

A Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052* has taken a view that this Court would have the powers under Section 482 Cr.P.C. to bring to an end the criminal proceedings initiated in the light of registration of FIR even with regard to such offences which are non-compoundable.

Concededly the parties herein have taken a conscious decision to amicably resolve their dispute. Under such circumstances, the proceedings if permitted to be continue, would be construed as an abuse of the process of law as also of the Court.

For the reasons recorded above, the present petition is allowed. Impugned FIR No. 180 dated 16.12.2011, under Sections 406, 498-A, 323, 506, 34 IPC, registered at Police Station Lakhan Majra, District Rohtak and all proceedings emanating therefrom stand quashed.

Petition allowed.

March 03, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE