

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CrI. Misc. No. M 17883 of 2014

Date of decision: 06.01.2015

Khem Chand

..... Petitioner

Versus

State of Haryana and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. S K Chaudhary, Advocate
for the petitioner

Ms Neelam Kashyap, DAG, Haryana
for the respondent – State

Mr. C S Singhal, Advocate
for respondent No. 2

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1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'the Code'), the petitioner has prayed for quashing of FIR No. 203 dated 04.05.2010 for offence punishable under Sections 420, 467, 468, 471, 120-B, 506 of the Indian Penal Code (in short, 'IPC') registered at Police Station Samalkha, District Panipat and proceedings emanating therefrom on the basis of compromise arrived at between the parties.

In the present case, aforesaid FIR was got registered at the

behest of complainant – Krishana Devi wife of Inderpal. Now, with the intervention of the respectable persons, the matter has been amicably settled between the petitioner and complainant in view of compromise dated 23.09.2011 (Annexure P2) arrived at between the parties. To that effect, complainant Krishana Devi, present in Court along with her counsel has also got recorded her statement stating therein that dispute between her and the petitioner has been settled by way of compromise effected between the parties during pendency of civil proceedings before the Court. She has got no objection if aforesaid FIR and proceedings emanating therefrom are ordered to be quashed.

Counsel for the State does not dispute genuineness of the compromise arrived at between the parties in view of the statement got recorded by the complainant in Court.

A perusal of the allegations of the FIR in the instant case reveals that the present case squarely falls in that category of cases which can be quashed by the High Court, in exercise of its inherent power under Section 482 of the Code.

Keeping in view the 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 of the present case, 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 criminal proceedings are put to an end.

In this view of the matter, the petition is allowed and FIR No.

203 dated 04.05.2010 for offence punishable under Sections 420, 467, 468, 471, 120-B, 506 IPC registered at Police Station Samalkha, District Panipat and proceedings emanating therefrom stand quashed qua the petitioner.

(Rekha Mittal)
Judge

06.01.2015
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