

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-18338 of 2014 (O&M)

Date of Decision: 21.07.2015

Jitender Dagar & another

--Petitioners

Versus

State of Haryana & another

--Respondents

CORAM:-HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Tapan Kumar Yadav, Advocate for the petitioners.

Mr. Arun Kumar, A.A.G., Haryana.

Mr. S.S. Momi, Advocate for
respondent no.2.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Section 482 Cr.P.C for quashing of F.I.R. No.27 dated 27.11.2012 under Sections 177, 193, 420, 467, 468, 471, 120-B I.P.C registered at Police Station, State Vigilance Bureau, Gurgaon, on the basis of compromise.

Vide order dated 14.10.2014, this Court had directed the parties to appear before the Trial Court for recording of their statements in support of the compromise and a report had been called for.

Placed on record is a report dated 3.11.2014 of the learned J.M.I.C., Gurgaon and a perusal thereof would reveal that the statements of complainant/respondent no.2 as also accused i.e. the present petitioners were duly recorded and it has been opined that the compromise has been entered into voluntarily and without any pressure or coercion.

Learned counsel appearing for the complainant/respondent no.2 also makes a statement at the bar that in view of the compromise having been effected, he would have no objection as regards the impugned F.I.R

being quashed.

A Full Bench of this Court in case of *Kulwinder Singh and others Vs. State of Punjab and another, 2007 (3) R.C.R (Criminal) 1052* has taken a view that in appropriate cases this Court in exercise of its powers under Section 482 Cr.P.C can intervene and bring to an end criminal prosecution in the light of a compromise that may have been effected between the parties even in relation to non-compoundable offences.

Adverting back to the facts of the present case, since the dispute was essentially civil in nature and a compromise has been effected between the parties and they have taken a conscious decision to continue with their lives in peace and harmony, continuation of criminal prosecution would be seen as an abuse of the process of law as also of the Court.

Accordingly, present petition is allowed. F.I.R. No.27 dated 27.11.2012 under Sections 177, 193, 420, 467, 468, 471, 120-B I.P.C registered at Police Station, State Vigilance Bureau, Gurgaon and all proceedings emanating therefrom qua the present petitioners stand quashed.

Petition is allowed in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

21.07.2015
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