

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH**237****CRM-M-19260-2014 (O&M)****Date of decision : 09.02.2015**

Mayur

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Surinder Gandhi, Advocate
for the petitioner.

Mr. Rajesh Gaur, Addl. A.G. Haryana.

REKHA MITTAL, J.(ORAL)

The petitioner has prayed for quashing of FIR No.708 dated 17.11.2010, for offence under Sections 323, 506 of the Indian Penal Code (in short "IPC") registered in Police Station Civil Lines, Rohtak on the basis of compromise dated 24.05.2014 effected between the parties.

The parties were directed to appear before the Illaqa Magistrate/trial Court on 17.11.2014 to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Chief Judicial Magistrate, Rohtak, wherein it has been reported that statements of the petitioner and respondents No.2 to 4 have been recorded and the statements made by the parties in the Court reveal that they have voluntarily entered into a compromise with an intention to live in peace and harmony.

Counsel for the petitioner contends that all the injured/victims have been impleaded as respondents and their statements have been recorded before the court below in regard to dispute being resolved by way of compromise.

Counsel for the State has not disputed correctness of assertions of the petitioners that the matter has been settled by way of compromise between the parties.

I have heard counsel for the parties and perused the case file.

A perusal of allegations in the FIR reveals that the present case squarely falls in the 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 of India 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 view of what has been discussed hereinabove, the petition is allowed and FIR No.708 dated 17.11.2010, for offence under Sections 323, 506 IPC registered in Police Station Civil Lines, Rohtak and proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

(REKHA MITTAL)
JUDGE

February 09, 2015.
pooja saini