

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-20606 of 2014.
Date of Decision : 06.04.2015.

Ashok Kumar

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Arpandeeep Narula, Advocate for the petitioner.

Mr. M.S. Sidhu, Additional Advocate General, Haryana.

Mr. Himanshu Puri, Advocate for
Mr. Vansh Malhotra, Advocate for respondent No. 2-
Complainant.

Tejinder Singh Dhindsa, J.(Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 337, dated 03.10.2013, under Sections 420, 467, 468, 471 of IPC, registered at Police Station City Mandi Dabwali, District Sirsa, on the basis of compromise.

While issuing notice of motion on 13.06.2014, this Court had directed the parties to appear before the trial Court for recording of their statements and a report with regard to veracity of the compromise was also called for.

Placed on record is a report dated 17.07.2014 of the Sub Divisional Judicial Magistrate, Dabwali and a perusal thereof reveals that a compromise has been arrived at between the parties and it has been opined that such compromise is without any pressure or coercion.

Even counsel appearing for the complainant in Court today makes a statement that in the light of compromise effected, he would

have no objection to the quashing of the FIR.

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.

Adverting back to the facts of the present case, wherein, the dispute between the parties, which was essentially civil in nature, having been amicably settled, continuation of criminal proceedings in pursuance to the impugned FIR would be construed as an abuse of the process of law as also of the Court.

Accordingly, the present petition is allowed. Impugned FIR No. 337, dated 03.10.2013, under Sections 420, 467, 468, 471 of IPC, registered at Police Station City Mandi Dabwali, District Sirsa and all proceedings emanating therefrom stand quashed.

Petition allowed.

April 06, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE