

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-22074-2014(O&M)

Date of decision: 16.07.2015

Pardeep @ Bunty

.. Petitioner

Vs.

State of Haryana and another

.. Respondents

Coram: Hon'ble Mr. Justice Mahesh Grover

Present: Mr. Sudhir Nar, Advocate for the petitioner.
Mr. Anmol Malik, AAG, Haryana.

Mahesh Grover, J

This is a petition under Section 482 of the Code of Criminal Procedure praying for quashing of FIR No.46 dated 14.06.2011, under Sections 406 and 498-A IPC, registered at Police Station Buria, District Yamuna Nagar, and for setting aside judgment dated 25.07.2013 passed by the Judicial Magistrate Ist Class, Yamuna Nagar, vide which the petitioner was convicted under Section 498-A IPC, on the basis of compromise

On 04.07.2014 this Court had directed the appellate Court to record the statements of all the affected persons and further record a finding as to whether the compromise has been effected voluntarily by the parties and a report in this regard was also called for.

That report has since been received along with copies of the statements of the affected persons which also indicates that the matter has been resolved amicably between the parties without any pressure from any quarter.

In **Dr. Arvind Barsaul etc. v. State of Madhya Pradesh and**

another, 2008 (2) R.C.R. (Cr.) 910, Hon'ble Supreme Court has held that

proceedings after conviction can be quashed.

In **Sube Singh and another v. State of Haryana and another,**

2013 (4) R.C.R. (Cr.) 102, it has been held as under:-

“ In the light of these peculiar facts and circumstances where not only the parties but their close relatives (including daughter and son-in-law of respondent No.2) have also supported the amicable settlement, we are of the considered view that the negation of the compromise would disharmonize the relationship and cause a permanent rift amongst the family members who are living together as a joint family. Non-acceptance of the compromise would also lead to denial of complete justice which is the very essence of our justice delivery system. Since there is no statutory embargo against invoking of power under Section 482 Criminal Procedure Code after conviction of an accused by the trial Court and during pendency of appeal against such conviction, it appears to be a fit case to invoke the inherent jurisdiction and strike down the proceedings subject to certain safeguards.”

In **Satya Narain v. State of Haryana, 2009 (3) R.C.R. (Cr.)**

97 and Lal Chand v. The State of Haryana, 2009 (5) R.C.R. (Cr.) 838, it

has been held that High Court is vested with unparallel power to quash criminal proceedings at any stage to secure ends of justice. The parties have buried their hatchet, though at a belated stage, it was held, that if compromise is accepted and proceedings are quashed, it will go a long way, to create better relations between the parties. Therefore, it was observed that it is a fit case for quashing of FIR, wherein conviction and sentence