

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

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CRM-M-281-2015

Date of Decision: 20.03.2015.

Pavitar Singh

....Petitioner.

Vs.

State of Haryana and others

....Respondents.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. Vansh Malhotra, Advocate for the petitioner.

Ms. Mahima, Assistant Advocate General, Haryana.

Mr. Rahul Jaswal, Advocate for respondents no.2 to 4.

Sneh Prashar, J. (Oral)

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short "Cr.P.C."), the petitioner prays for quashing of First Information Report No.135 dated 14.12.2013 for offence punishable under Section 295-A of the Indian Penal Code (in short "I.P.C.") and 66-A of the Information Technology Act registered at Police Station Siwan, District Kaihal and subsequent proceedings emanating therefrom, on the basis of compromise.

2. Vide order dated 07.01.2015, the trial Court was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise dated 04.12.2014 (Annexure P-2) and to send its report to this Court and vide order dated

16.02.2015 the petition was adjourned for today for arguments and to enable respondent no.4 to record his statement before the trial Court. Pursuant thereto, a report has been submitted by Judicial Magistrate Ist Class, Kaithal, wherein it has been reported that statements of the parties have been recorded and that they have voluntarily compromised the matter without any force, coercion or duress. Learned counsel for the State does not dispute genuineness of the compromise in view of the report of trial Court.

3. A perusal of allegations in the First Information Report 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 Cr.P.C. 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 First Information Report No.135 dated 14.12.2013 for offence punishable under Section 295-A I.P.C. and 66-A of the Information Technology Act registered at Police Station Siwan, District Kaihal and proceedings emanating therefrom stand quashed qua the petitioner.

(SNEH PRASHAR)
JUDGE

March 20, 2015.
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