

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

**CRM No.M-2975 of 2015 (O&M)
Decided on : 12.05.2015**

Harish & ors.

.... Petitioner(s)

Vs.

State of Haryana and ors.

.... Respondents

CORAM:- HON'BLE MR. JUSTICE MAHESH GROVER

Present:- Mr. Ajay Singla, Advocate
for the petitioners.

Mr. P.S.Chauhan, Addl. AG, Haryana with
Mr. Himmat Singh, AAG, Haryana.

Mr. Sanjeev Gupta, Advocate
for respondent No.2.

MAHESH GROVER, J.(Oral)

Reply filed on behalf of respondent No.1 in court is taken on record subject to all just exceptions.

This is a petition under Section 482 Cr.P.C praying for quashing of FIR No.194 dated 15.06.2014 registered under Sections 148, 149, 323, 506 & 356 IPC (Sections 285, 325, 307 IPC and 25/54/59 of Arms Act were added subsequently) at Police Station Old Subji Mandi, Rohtak District Rohtak and all consequent proceedings arising therefrom and cross case registered on the statement of the petitioners against respondent No.2 on the basis of compromise.

On 28.01.2015, this Court had directed the Illaqa Magistrate to record the statement 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.

Learned counsel for the State submits that Section 307 IPC was added later on but perusal of the facts shows that the gun shot was fired in the air and there was no injury to anybody from the shot.

The Hon'ble Supreme Court in ***Gold Quest International Private Ltd. vs. State of Tamil Nadu and others, 2014(4) RCR (Crl.) 206*** has held that the disputes which are substantially matrimonial in nature, or the civil property disputes with criminal facets, if the parties have entered into settlement, and it has become clear that there are no chances of conviction, there is no illegality in quashing the proceedings under Section 482 Cr.PC read with Article 226 of the Constitution.

The Hon'ble Division Bench of this Court in ***Sube Singh & anr. vs. State of Haryana & anr., 2013(4) RCR (Crl.) 102*** has held that the High Court is vested with unparallel power to quash criminal proceedings at any stage to secure the ends of justice .

Having regard to the aforesaid and the observations made by the Full Bench of this Court in ***Kulwinder Singh v. State of Punjab reported as 2007(3) Law Herald 2225*** and of Hon'ble Supreme Court in ***Gian Singh Vs. St. of Punjab reported as 2012 (4) RCR (Crl.) 543***, instant petition is accepted. Consequently, FIR No.194 dated 15.06.2014 registered under Sections 148, 149, 323, 506 & 356 IPC (Sections 285, 325, 307 IPC and 25/54/59 of Arms Act which were added subsequently) at Police Station Old Subji Mandi,

Rohtak District Rohtak and all consequent proceedings arising therefrom and cross case registered on the statement of the petitioners against respondent No.2 qua petitioners and respondent No.2 are hereby quashed.

12.05.2015
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(Mahesh Grover)
Judge