

CRM-M-32020-2014

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

CRM-M-32020-2014
Date of decision: 18.05.2015

Inderjeet Singh

....Petitioner(s)

Versus

State of Haryana and others

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr. R.S.Mamli, Advocate,
for the petitioner.

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

Mr. Jagdeep Singh, Advocate,
for respondent No.2.

PARAMJEET SINGH, J. (ORAL)

This petition has been moved by the petitioner under Section 482 of the Code of Criminal Procedure, seeking quashing of case FIR No.56 dated 25.01.2014, registered at Police Station City Fatehabad, under Sections 498-A/323/406/506 of the Indian Penal Code, alongwith all the subsequent proceedings arising therefrom.

On 17.09.2014, learned counsel for the petitioner stated that the petitioner is ready to settle the dispute amicably with his wife-respondent No.2 and thereafter notice of motion was issued.

CRM-M-32020-2014

On 26.03.2015, petitioner and respondent No.2 were present and it was agreed between them that respondent No.2 would stay at Hisar in rented accommodation and would arrange the same within one month. It was also agreed that the petitioner would visit respondent No.2 at Hisar on every Saturday and Sunday and he would give ₹20,000/- every month to respondent No.2, which would include rent, educational expenses of child and other expenses.

Today, petitioner and respondent No.2 along with child are present in Court. Respondent No.2 states that matter has been settled due to the intervention of respectables and family members. She also states that she is now residing with the petitioner and now she does not want to pursue the FIR against the petitioner. She also states that she has no objection, if the present FIR may be quashed. She has also filed her affidavit dated 18.05.2015 in this regard which is taken on record.

Learned counsel for the parties also state that now, no dispute survives between the parties.

Consequently, in view of affidavit dated 18.05.2015 filed by respondent No.2 and keeping in view the law laid down by the Hon'ble Apex Court in the case of ***Madan Mohan Abbot vs. State of Punjab, 2008(2) RCR (Criminal) 429, Gian Singh vs. State of Punjab and another, 2012(4) R.C.R.(Criminal) 543, Narinder Singh and others vs. State of Punjab and another, 2014(2) R.C.R.(Criminal) 482*** and Full Bench judgment of this Court in the case of ***Kulwinder Singh and***

CRM-M-32020-2014

others vs. State of Punjab and another, 2007(3) RCR (Crl.) 1052, no useful purpose would be served in prolonging the litigation, especially when this case does not fall within the category of exceptional cases where this Court should not exercise its inherent jurisdictional power to quash the criminal proceedings, as held in **Gian Singh (supra)** and **Narinder Singh and others (supra)**. In the facts and circumstances of this case, it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of the criminal proceedings would amount to abuse of process of law despite settlement and compromise between the victim and wrongdoer and to secure the ends of justice, therefore, it is appropriate that criminal case is put to an end.

The present petition is allowed. FIR No.56 dated 25.01.2014, registered at Police Station City Fatehabad, under Sections 498-A/323/406/506 of the Indian Penal Code, is hereby quashed, on the basis of affidavit dated 18.05.2015 filed by respondent No.2, and all the criminal proceedings arising out of the said FIR also stand quashed.

It is, however, made clear that if the proceedings already stand concluded and conviction recorded in the present case, this order shall be treated non est and, thus, will have no bearing on the conviction and sentence order.

18.05.2015
parveen kumar

(PARAMJEET SINGH)
JUDGE