

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

CRM-M-7124 of 2015(O&M)

Date of Decision: 14.07.2015

Rajesh and another

....petitioners

Versus

Subash

...Respondent

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. Jitender Sharma, Advocate
for the petitioners.

Mr. Neeraj Poswal, AAG, Haryana.

SNEH PRASHAR, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short "Cr.P.C."), the petitioners pray for quashing of complaint No.108I of 2008 dated 14.06.2008 for offence punishable under Sections 406 and 323 of the Indian Penal Code (in short "I.P.C.") and Section 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Police Station Barwala, District Hisar and subsequent proceedings emanating therefrom, on the basis of compromise (Annexure P2).

2. Vide order dated 09.03.2015, the parties were directed to appear before the trial Court to get their statements recorded with regard to genuineness of compromise. Pursuant thereto, a report has been submitted by Additional Sessions Judge, Hisar wherein it has been reported that statements of the parties have been recorded and that they have voluntarily

compromised the matter. 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 complaint No.108I of 2008 dated 14.06.2008 for offence punishable under Sections 406 and 323 of the Indian Penal Code (in short "I.P.C.") and Section 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 of IPC, Police Station Barwala, District Hisar and proceedings emanating therefrom stand quashed qua the petitioners.

July 14, 2015
rashmi

(SNEH PRASHAR)
JUDGE