

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

**CRM No.M-23810 of 2015
Decided on: 31.05.2017**

Rajesh Kumar

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. Arun Singal, Advocate
for the petitioner.

Mr. Pawan Garg, AAG, Haryana.

Mr. R.K. Rana, Advocate
for Mr. Deepender Singh, Advocate for respondent No.2.

REKHA MITTAL, J. (Oral)

Reply by way of affidavit of Kaptan Singh, Assistant
Commissioner of Police, Mujessar on behalf of respondent No.1 filed in
the Court is taken on record.

The petitioner has prayed for quashing of FIR No.89 dated
10.02.2015 for offence punishable under Sections 498-A and 406 of the
Indian Penal Code (in short 'IPC') registered in Police Station Saran,
District Faridabad on the basis of compromise effected between the
parties.

In the present case, the FIR was registered at the instance
of Sharmila daughter of Sh. Randhir Singh. Now, dispute between the
parties has been resolved by way of compromise.

The parties were directed to appear before the Illaqa Magistrate/trial Court on 31.03.2017 to get their statements recorded with regard to genuineness of compromise.

A report has been submitted by the Judicial Magistrate Ist Class, Faridabad, wherein it has been reported that statements of the petitioner and respondent No.2 (complainant) have been recorded and they have voluntarily entered into a compromise with an intention to live in peace and harmony.

Counsel for the State assisted by counsel for respondent No.2 has not disputed that the parties have arrived at a settlement with an intent to give burial to their differences.

I have heard counsel for the parties and perused the case file.

Perusal of allegations in the FIR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in exercise of its inherent power under Section 482 of the Code. Keeping in view authoritative enunciation of law laid down by Hon'ble the Supreme Court of India in ***“Gian Singh vs 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 view of what has been discussed hereinabove, the petition is allowed and FIR No.89 dated 10.02.2015 for offence punishable under Sections 498-A and 406 IPC registered in Police

Station Saran, District Faridabad and proceedings emanating therefrom
are ordered to be quashed *qua* the petitioner.

31.05.2017
yakub

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No