

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

CRM-M-34202-2015

Date of decision: 23.05.2017

Savita and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

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

Ms. Mahima Yashpal, AAG, Haryana.

Ritu Bahri, J.

This petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioners in case FIR No.731 dated 28.10.2014, under Sections 323, 452, 506 read with Section 34 IPC, registered at Police Station City, Jagadhri, District Yamuna Nagar.

The aforesaid FIR has been got registered by Rakesh Mohan-complainant (respondent No.2) alleging that marriage of his son-Rajat was solemnized on 27.11.2011 with Savita-petitioner No.1 daughter of Avtar Singh-petitioner No.2. After marriage, a dispute arose between the husband and wife. On 27.10.2014, at about 6.00 P.M., when the complainant, his son-Rajat and wife were present in the house, Avtar Singh, Satvinder Singh and Savita (petitioners) along with 15/20 unknown persons came there and extended filthy abuses to them. They broke all the glasses of the house and car of the complainant by entering into their house. Thereafter, they gave beatings to the complainant and his family members. Complainant made a phone call to the police, whereupon, Balraj and Hari Ram (police officials)

came there. It was further alleged that Savita had given beatings to the police official namely Balraj and torn his uniform. Thereafter, 5/6 vehicles of police came at the spot. However, Savita had extended threats to all the police officials as well. Wife of the complainant namely Rajesh Singal was taken to the hospital. As per MLR, she had suffered three blunt injuries. Rajat Singal son of complainant had suffered four injuries. In this background, the FIR was registered.

Petitioners were granted anticipatory bail vide order dated 06.10.2015. Thereafter, this matter and the other connected petitions i.e. CRM-M-41874-2014, CRM-M-34166-2015 and CRM-M-34168-2015 were referred to mediation for an amicable settlement. In the mediation, parties have amicably resolved their entire disputes. Vide order dated 25.04.2017 passed by this Court, aforesaid connected matters (CRM-M-41874-2014, CRM-M-34166-2015 and CRM-M-34168-2015) have been disposed and the FIRs in question have been quashed by treating those petitions as petitions filed under Section 482 Cr.P.C.

In the present case, complainant-Rakesh Mohan is the father-in-law of Savita-petitioner No.1 and in the occurrence, simple injuries were alleged to have suffered by the complainant, his son and wife. Since, a compromise has already been effected between the parties in the connected matters and FIRs in question have already been quashed, this is a fit case, where FIR can be quashed by converting the present petition as a petition filed under Section 482 Cr.P.C.

Accordingly, by exercising powers under Section 482 Cr.P.C., this petition, which has been filed under Section 438 Cr.P.C. is being treated as a petition filed **under Section 482 Cr.P.C.**

Since entire dispute between the parties has already been resolved amicably, this Court is of the view that continuation of criminal proceedings on the basis of present FIR, at this stage, would amount to an abuse of the process of Court. Moreover, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.731 dated 28.10.2014, under Sections 323, 452, 506 read with Section 34 IPC, registered at Police Station, City Jagadhri, District Yamuna Nagar, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands allowed accordingly.

23.05.2017		(RITU BAHRI)
ajp		JUDGE
	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No