

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

-.-

Crl. Misc. M 37633 of 2015
Date of decision: 09.02.2017

Ankur Malik

..... Petitioner

Versus

State of Haryana and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. M S Khillan, Advocate for
Mr. Babbar Bhan, Advocate
for the petitioners
Ms Dimple Jain, AAG, Haryana
Ms Rahuyl Deswal, Advocate
for respondent No. 2

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Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'Cr.P.C.'), the petitioner prays for quashing of FIR No. 0658 dated 03.09.2015 for offence punishable under Sections 354, 406 and 498-A of the Indian Penal Code (in short, 'IPC') registered with Police Station Civil Lines, Karnal and proceedings emanating therefrom on the basis of compromise dated 22.09.2015 (Annexure P-2) arrived at between the parties.

Counsel for the petitioners states that petitioner No. 1 and respondent No. 2 have mutually decided to resolve their personal differences and also decided to part ways vide compromise deed dated 22.09.2015.

Vide order dated 02.02.2016, the parties were directed to

appear before the trial Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, two reports have been submitted by the Chief Judicial Magistrate, Karnal wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State does not dispute genuineness of the compromise in view of the report of trial Court. It is also submitted that a cancellation report has been prepared in the matter.

Counsel for respondent No. 2 also submits that he has no objection if the said FIR and proceedings emanating therefrom are quashed.

A perusal of allegations in the FIR 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 FIR No. 0658 dated 03.09.2015 for offence punishable under Sections 354, 406 and 498-A IPC registered with Police Station Civil Lines, Karnal and proceedings emanating therefrom, on the basis of compromise dated

22.09.2015, stand quashed qua the petitioner. The parties shall remain bound by the terms and conditions of compromise.

(Rekha Mittal)
Judge

09.02.2017
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Whether speaking/reasoned	:	Yes/No
whether reportable	:	Yes/No