

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

CRM-M No. 46131 of 2016(O&M)

Date of decision: 25.5.2017

Chander Shekhar and anotherPetitioners

VERSUS

State of Haryana and anotherRespondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Shrey Goel, Advocate for the petitioners.

Mr. Amrik Narwal, DAG, Haryana.

Mr. L.C. Sharma, Advocate for respondent No.2.

REKHA MITTAL, J.(Oral)

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of Complaint No. 24 dated 02.04.2013 for offence punishable under Sections 498-A, 406, 323, 506 read with Section 34 of the Indian Penal Code, 1860 pending in the Court of Judicial Magistrate Ist Class, Karnal on the basis of compromise arrived at between the parties.

In the present case, the complaint was filed by Reeta wife of Chander Shekhar. Now, dispute between the parties has been resolved by way of compromise.

Vide order dated 21.03.2017, 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 the Judicial Magistrate Ist Class, 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 has not disputed that the parties i.e. petitioners and respondent No.2 (complainant) have arrived at a settlement with an intent to give burial to their differences.

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 Cr.P.C. Keeping in view 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 discussed hereinbefore, 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 the same are put to an end.

For the foregoing reasons, the petition is allowed, Complaint No. 24 dated 02.04.2013 for offence punishable under Sections 498-A, 406, 323, 506 read with Section 34 of the Indian Penal Code, 1860 pending in the Court of Judicial Magistrate Ist Class, Karnal stand quashed qua the petitioners.

MAY 25, 2017

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned : yes/no

Whether reportable : yes/no