

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

-.-

Crl. Misc. M 46186 of 2016

Date of decision: 22.03.2017

Robin Goyal and another

..... Petitioners

Versus

State of Haryana and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Rose Gupta, Advocate
for the petitioners

Mr. Pawan Garg, AAG, Haryana

Mr. Gourav Rana, Advocate for
Mr. Aman Vashisht, 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 petitioners have prayed for quashing of FIR No. 478 dated 08.05.2015 for offence punishable under Sections 323, 406, 498-A read with Section 34 of the Indian Penal Code (in short, 'IPC') registered with Police Station Hisar City, District Hisar and proceedings emanating therefrom on the basis of compromise in the shape of joint petition under Section 13-B of the Hindu Marriage Act, 1955 dated 02.11.2016 (Annexure P-2).

Counsel for the petitioners states that the petitioner and respondent No. 2 have mutually decided to resolve their personal differences and also decided to part ways.

Vide order dated 23.12.2016, 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 Chief Judicial Magistrate, Hisar, 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 report of the trial Court.

Counsel for respondent No. 2 has conceded to the position.

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. 478 dated 08.05.2015 for offence punishable under Sections 323, 406, 498-A read with Section 34 IPC registered with Police Station Hisar City, District Hisar and proceedings emanating therefrom on the basis of compromise between the parties, stand quashed qua the petitioners.

(Rekha Mittal)
Judge

22.03.2017
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Whether speaking/reasoned : Yes/No
whether reportable : Yes/No